* * * *
B I D S
* * * *

NO.	ITEM	PAGE
	Meeting No. 2 - January 19, 1981	
2	Work Uniforms for 1981.	1
3	Moving of election machines to and from polling places.	1
	Meeting No. 3 - February 2, 1981	
2	Walden Avenue Storm-Sanitary Sewer Project.	1
3	Rehabilitation of Sanitary Sewers in Sanitary Sewer District No. 5.	1
4	Baseball Equipment.	1
5	Equipment, Operators and Laborers for Public Works Projects.	1
6	Thirteen (13) Mobile Radios, two (2) Portable Radios and two (2) Repeater Control Stations for Sewer Maintenance Department.	1
	Meeting No. 4 - February 17, 1981	
2	Two (2) 3/4 ton pick-up trucks.	1

* * * * * * * * * * * * * * * *
PUBLIC HEARINGS
* * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 1 - January 5, 1981	
2	Increase and Improvement of facilities in Sanitary Sewer Dist. No. 2, Town of Cheektowaga, New York.	1-2
3	Amendment to Traffic Ordinance - Article VIII: "Stop & Yield" (Dubonnet Dr.); Article X: "Parking, Standing, Stopping" (Sebring Dr., Geo. Urban Blvd.) -- Parking Signs (Rossler Ave.).	2-3
	Meeting No. 2 - January 19, 1981	
4	Amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping" (Lemans Drive).	1
	Meeting No. 3 - February 2, 1981	
7	Amendment to Zoning Ordinance: Article II - Residence District Regulations - Proposed enactment of new Section 2-30 entitled Senior Citizen Housing.	1-2
8	Amendment to Traffic Ordinance - Article VIII: "Stop & Yield" (St. Boniface Road, Dick Road); Article X: "Parking, Standing, Stopping" (Rossler Avenue).	2
	Meeting No. 4 - February 17, 1981	
3	Amendment to Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (St. Boniface).	1

* * * * * * * * * * *

R E S O L U T I O N S

* * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 1 - January 5, 1981	
4	Call for Public Hearing for Rezoning of property at 2376 Harlem Rd.	3
5	Call for Public Hearing for Rezoning of property located at William Street between Starlite and Tamark Court.	4
6	Call for Public Hearing to amend Traffic Ordinance - Article X: "Parking, Standing, Stopping" (Lemans Drive).	5
7	Call for Public Hearing to review Town's performance re: C.D.B.G. funding and review of application for 1981-82 funding.	6
8	Notice to Bidders: Furnishing of baseball equipment.	7
9	Award of Bid: Furnishing of tire and tube requirements.	8-9
10	Authorize Supervisor to sign agreement regarding Meals on Wheels Program for elderly.	9
11	Authorize Supervisor to sign agreement regarding operation of Nutrition Program.	9
12	Authorize Cheektowaga Youth Bureau to co-sponsor Cultural Enrichment Program with Villa Maria College.	9-10
13	Change Order re: Alexander Pedestrian Bridge Project.	10-11
14	Authorize activation of heating and air handling system at Main Pump Station.	11
15	Approval for radio telemetry system as part of Main Pump Station Water Pollution Control Project.	11
16	Authorize Anderson Drilling Co. to conduct test borings re: Preliminary plans for Senior Citizens Center.	12
17	Authorize Frederick Marzak, Architects to prepare preliminary design plans and cost estimates for Senior Citizens Center.	12
18	Amend resolution of 12/1/80 re: Retention of Stuart Alexander & Associates relative to C.D.B.G. Program.	12-13
19	Retain services of Main Hurdman & Cranstoun as Certified Public Accounting Firm.	13
20	Retain Ernest A. Holfoth, CPCU, ARM for risk management services.	13
21	Retain Loris L. Durfee as part-time Housing Inspector for Community Development Block Grant Program.	13
22	Retain Lawrence J. Kensy as Housing Inspector for Community Development Block Grant Program.	14
23	Retain Louis A. Vendetti, M.D., to perform physical examinations for Town.	14
24	Establish Chktg. Community Development Block Grant Citizens Advisory Committee and appointments to said Committee for 1981.	14-15
25	Appointment of Project Coordinator relative to construction of Senior Citizen Center.	15
26	Appointment of General Mechanic in Facilities Department.	15
27	Hiring of seasonal and part-time employees in Facilities Dept.	16
28	Hiring of seasonal employees in Sanitation Department.	16
29	Hiring under C.E.T.A., Title IID:	
	a). Camp Fire of Buffalo and Erie County	17
	b). Legal Aid Bureau of Buffalo, Inc.	17
	c). Senior Jobs Program	17-18
	d). Valley Community Association	18
30	Appointments to Traffic Safety Commission.	18
31	Reappointment to Cheektowaga Library Board.	18

RESOLUTIONS CONT'D.

NO.	ITEM	PAGE
	Meeting No. 1 - January 5, 1981 Cont'd.	
32	Leave of absence for employee in Sanitation Department.	19
33	Extension of leave of absence for employee in Recreation Department (Senior Citizens).	19
34	Authorize employee in Assessor's Office to attend training session at Erie Community College.	19
35	Authorization for deduction of Union dues from payroll of J. Matecki and B. Wojtkowiak.	19-20
36	Establishment of salaries of elected Town Officials for 1981.	20
37	Supervisor's facsimile signature.	20-21
38	Town Officials' sureties.	21
39	Naming of Official Town Depositors.	21-22
40	Transfer of Funds.	22-23
41	Warrant List.	23
	Meeting No. 2 - January 19, 1981	
5	Decision on Rezoning - 500 Dick Road.	2
6	Decision on amendment to Traffic Ordinance - Article VIII: "Stop & Yield" (Dubonnet Dr.); Article X: "Parking, Standing, Stopping" (Sebring Dr., Geo. Urban Blvd., Rossler Ave.).	2-3
7	Call for Public Hearing for amendment to Traffic Ordinance - Article VIII: "Stop & Yield" (St. Boniface Road, Dick Road); Article X: "Parking, Standing, Stopping" (Rossler Ave.).	4-5
8	Call for Public Hearing to amend Zoning Ordinance - Article II.	6
9	Declaration of non-significance for rezoning of properties located generally on the north and south side of William Street.	7
10	Declaration of non-significance for rezoning of properties located generally on the west side of Union Road.	7
11	Call for Public Hearing for rezoning at 1030 Cleveland Drive.	7
12	Call for Public Hearing for rezoning at 1317 Harlem Road.	8
13	Adoption of proposed 1981-82 Community Development Block Grant Application.	9
14	Authorization for Town Attorney and Town Accountant to take necessary procedures for bonding to underwrite costs of Rossler Avenue road improvements.	9
15	Authorization to conduct test borings along Beach Road to complete plans for storm sewer construction.	9-10
16	Proclamation of JAYCEE WEEK.	10
17	Memorialize N.Y.S. Legislature re: Cost of relocating water lines along Losson Road.	10-11
18	Authorization for Supervisor to sign Agreement Addendum #1 regarding Walden Avenue storm sewer project.	11
19	Acceptance of agreement with General Code Publishers Corp.	11-12
20	Acceptance of part of Dubonnet Drive.	12-13
21	Removal of Sanitary Sewer Department communication system from the Police V.H.F. frequency and equip it to use the U.H.F. frequency.	13
22	Notice to Bidders - Furnishing and installation of 13 mobile vehicle radios and 2 portable and repeater control stations.	13-14
23	Notice to Bidders - Furnishing of equipment and operators for public works projects.	15
24	Notice to Bidders - two (2) new 3/4 ton pick-up trucks.	16
25	Award of bid for Chlorine and Sodium hypochlorite.	16

NO.	ITEM	PAGE
	Meeting No. 2 - January 19, 1981 Cont'd.	
26	Award of Bid for vacuum flusher machine.	16
27	Emergency Sewer Repairs.	16
28	Change Orders for Scajaquada Creek Structure Replacement:	
	a). Box Culvert Supplementary Agreement	16-18
	b). Bridge portion of Project	18-19
	c). Culvert portion of Project	19-20
	d). Andres Place Box Culvert	20
29	Acceptance of resignation of Senior Clerk in Assessor's Office.	20
30	Leave of absence for Auto Mechanic in Central Garage.	20-21
31	Leave of absence for Recreation Instructor in Recreation Department.	21
32	Appointment to permanent position of Senior Clerk in Assessor's Office.	21
33	Appointment to position of temporary Clerk-Typist in Assessor's Office.	21
34	Hiring under C.E.T.A., Title IID.	22
35	Hiring under YCCIP Program (Youth Community Conservation and Improvement Project).	22
36	Hiring of employee as clerk in Administrative Intern Program.	22
37	Hiring of seasonal employees for various departments.	23
38	Reappointment to Cheektowaga Youth Board.	24
39	Rehiring of part-time personnel for Senior Services Department.	24
40	Rehiring of seasonal help in Recreation Department for Winter Programs.	25
41	Increase in hourly rates for seasonal employees in Sanitation Dept.	26
42	Increase in pay for employee under YCCIP Program due to increase in minimum wage.	26
43	Authorization for Town Engineer to attend meeting re: Wastewater projects, flood control and drainage projects.	26-27
44	Authorization for individuals to attend Association of Towns Convention.	27
45	Authorization for Court employee to attend Association of Towns Convention.	27
46	Warrant List.	28
	Meeting No. 3 - February 2, 1981	
9	Change date for next regular Town Board meeting.	3
10	Call for Public Hearing: Rezoning of property located at 5 Greenleaf Lane.	3
11	Call for Public Hearing: Rezoning of property located at 812 Borden Road.	3
12	Call for Public Hearing to amend Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (McNaughton Avenue).	3-4
13	Decision on rezoning at 500 Dick Road.	5
14	Decision on rezoning - William St. between Starlite & Tamarck Ct.	5
15	Decision on amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping" (Lemans Drive).	5-6
16	Notice to Bidders: Two (2) 3/4 ton pick-up trucks for Sewer Maintenance Department.	7
17	Award of Bid: Truck with vacuum flusher machine.	8-9
18	Award of Bid: Moving of election machines.	9-10
19	Award of Bid: Corrugated metal, reinforced concrete pipe for 1981.	10-12

NO.	ITEM	PAGE
	Meeting No. 3 - February 2, 1981 Cont'd.	
20	Change Order for signalization of French Road and Towers Boulevard.	12
21	Enforcement of penalty clause in contract with Tri-City Electric Co. regarding signalization of French Road and Towers Boulevard.	12-13
22	Authorize Supervisor to sign agreements with Conrail regarding construction of collector sewers in Sanitary Sewer District No. 8.	13
23	Authorize Supervisor to sign agreement with Conrail for Walden Avenue Storm Sewer Project.	13
24	Authorize Supervisor to execute contract with County of Erie regarding snow removal and ice control.	13-15
25	Authorization to waive Article 48-12 of Code of Town of Cheektowaga regarding Cub Scouts.	15
26	Retain Ernest A. Holfoth, CPCU - ARM for risk management services for 1981.	15
27	Appointment of Police Officers.	15-16
28	Hiring of part-time recreation attendant for Department of Senior Services.	16
29	Appointment to temporary position of Recreation Instructor in Recreation Department.	16
30	Hiring under C.E.T.A., Title IID: Various locations.	17-18
31	Youth Bureau - Hiring of program aide for Adapted Recreation Program.	18
32	Declaration of policy regarding personnel, capital projects and budget transfer resolutions.	18
33	Declaration of policy regarding personnel, capital projects and budget transfer resolutions.	18
34	Authorization for funding of construction of office for Bookkeeper to the Supervisor from Federal Revenue Sharing Funds.	18-19
35	Adoption of Personnel Policy Handbook for full-time, non-union employees.	19
36	Adoption of Personnel Policy Handbook for non-union, part-time, seasonal and temporary Town employees.	19
37	Transfer of funds.	19
38	Warrant List.	19-20
	Meeting No. 4 - February 17, 1981	
4	Approval of grants under Housing Rehabilitation Grant Program.	2
5	Authorization for Supervisor to enter into Facade Improvement Grant Agreement with Walden Avenue property owner.	2-3
6	Authorize Town Attorney to send letter of intent re: Acquisition of land for recreation facilities in North section of Town.	3
7	Authorization for Supervisor to sign agreement with State University of New York at Geneseo for College work/study program.	3-4
8	Authorization for Supervisor to sign agreement with Villa Maria College for College work/study program.	4
9	Authorization for consulting engineer to prepare specs re: Signal at Dick Road and North Creek Drive.	4
10	Memorialize Assemblyman Gorski and Senator Volker to intervene on behalf of the Town of Cheektowaga and work with the N.Y.S. Dept. of Transportation re: Reconstruction of Harlem Rd.-Walden Ave. intersection.	4-5
11	Authorization for Supervisor to sign permit re: Signal at Dick Road-North Creek intersection.	5
12	Notice to Bidders - New Trees.	5-6

NO.	ITEM	PAGE
	Meeting No. 4 - February 17, 1981 Cont'd.	
13	Notice to Bidders - One (1) Downstroke Vertical Baling Press.	7
14	Notice to Bidders - Maintenance Chemicals.	8
15	Notice to Bidders - One (1) Rotary Mower for slope cutting.	9
16	Award of bid for Work Uniforms.	10-11
17	Award of bid for Walden Avenue Storm Sewer Project, Phase II.	11-12
18	Award of bid for Phase I Sewer System Rehabilitation in S.S.D. No. 5 Service Area.	12
19	Award of bid for furnishing of equipment and operators for Public Works Projects.	12-13
20	Award of bid for Baseball Equipment.	13-14
21	Award of bid for mobile and portable radios for Sewer Maintenance Department.	14-15
22	Appointment (permanent) to position of Detective in Cheektowaga Police Department.	15
23	Appointment to position of Police Lieutenant in Cheektowaga Police Department.	15
24	Hiring under C.E.T.A., Title IID.	15-16
25	Hiring under YCCIP (Youth Community Conservation Improvement Program).	16
26	Termination of participant in YCCIP Program.	16
27	Transfer of Funds.	16-17
28	Warrant List.	17

* * * * * * * * * * * * * * *

F R O M T H E T A B L E

* * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 1 - January 5, 1981	
42	Call for Public Hearing relative to Zoning District Classification change - West side of Union Road.	23-25

DEPARTMENTAL COMMUNICATIONS

NO.	ITEM	PAGE
	Meeting No. 1 - January 5, 1981	
43	Building Permits.	26
	Meeting No. 2 - January 19, 1981	
47	Health Report for December, 1980.	28
48	Minutes of Cheektowaga Public Library.	28
	Meeting No. 3 - February 2, 1981	
39	Building Permits.	20
40	Chief of Police - Letter sent to N.Y.S. Department of Labor (copy) re: Reimbursement for bullet proof vests.	20
41	Justice Court - Annual Justice Report.	20
	Meeting No. 4 - February 17, 1981	
29	Town Historian's Annual Report.	17
30	Health Report for January, 1981.	17

* *

GENERAL COMMUNICATIONS

* *

NO.	ITEM	PAGE
	Meeting No. 1 - January 5, 1981	
44	N.Y.S. Dept. of Transportation - Designation of Restricted Highway: Portions of Harlem Road.	26
45	N.Y.S. Dept. of Transportation - Notice of Order re: Stop Sign control on various streets.	26
46	N.Y.S. Dept. of Transportation - Correspondence re: Permit for Fire Pre-emption of Signal #415 Walden Avenue at Pine Ridge Road.	26
47	Notice of Claim - Travelers Insurance Co. for William Thornton vs. Town of Cheektowaga.	26
48	Cleveland Hill U.F.S.D. - Letter regarding school building available for leasing.	26
49	Bee Publications - Letter regarding legal notices: Request to publish legals in Cheektowaga Bee for 1981.	26
	Meeting No. 2 - January 19, 1981	
49	Letter and information re: Association of Towns Meeting.	28
50	Notice of Claim - Alfred Michalski vs. Town of Cheektowaga.	28
51	Summons & Complaint - John Ogiony & Edward Ogiony vs. Josela Enterprises; Josela Enterprises vs. Town of Cheektowaga.	28
52	Summons & Complaint - Grace & Alfred Pietrzak vs. Town of Cheektowaga and Edward Chmura.	29
	Meeting No. 3 - February 2, 1981	
42	Seitz & Seitz, Attorneys - Letter re: Overflow of waters on property adjacent to 230 West Grand Blvd.	20
43	William St. Citizens & Taxpayers Protective Ass'n. - Letter re: Senior Citizens Center.	20
44	Cheektowaga Democratic Town Committee - Letter re: Senior Citizens Center.	20
45	Mrs. Magdaline Misztal - Letter re: Curbing flow of pornography in Cheektowaga.	21
46	Verified Complaint - Frank & Gertrude Kopacz vs. County of Erie, Town of Cheektowaga.	21
47	Notice of Claim - Rita Ann Taylor & Ernest Taylor vs. Town of Chktg.	21
48	Notice of Claim - Arthur Jones vs. Town of Cheektowaga.	21
	Meeting No. 4 - February 17, 1981	
31	Letter and resolution from Cheektowaga Chamber of Commerce.	17
32	Notice of Claim - Betty Zelaski vs. Town of Cheektowaga.	17
33	Summons - Frank & Gertrude Kopacz vs. Town of Cheektowaga.	18
34	Summons & Complaint - Bella Vista Development vs. Town of Chktg.	18
35	Summons & Notice - Richard Piontek vs. E. Petrocy, Town of Chktg. and County of Erie.	18

* * * * * * * * * * * * * * * * * * * *

SUSPENSION OF RULES

* * * * * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 1 - January 5, 1981	
50	Youth Bureau - Increase in Minimum Wage for employee hired under YCCIP.	27
51	Authorization for Kenneth J. Kopacz to attend conference.	27-28
52	Amend resolution of January 5, 1981 re: Hiring of seasonal and part-time employees in Facilities Department.	28
	Meeting No. 2 - January 19, 1981	
53	Appointment of C. Rogowski as Town Delegate to Solid Waste Management Review Board.	29
54	Adoption of Bond Resolution appropriating $295,999 for Increase and Improvement of Facilities of Sanitary Sewer District No. 2.	30
55	Retain law firm to obtain easements in Sanitary Sewer Dist. No. 8.	31
	Meeting No. 3 - February 2,1981	
49	Authorize Town Attorney to take necessary steps to acquire drainage easement for construction of storm sewers north of Beach Road.	21-22
	Meeting No. 4 - February 17, 1981	
36	Petition Erie County Dept. of Public Works to take necessary steps to secure Federal funding for planning study to develop short and long-range traffic improvement plan.	18
37	Acceptance of portion of POSTAL DRIVE as a Town Highway.	18-20

Meeting No. 1

CHEEKTOWAGA, NEW YORK
January 5, 1981

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 5th day of January, 1981 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; Pat Wojcik, Recreation Supervisor-Senior Citizens; Al Thrun, Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway Superintendent; Michael Miecznikowski, Temporary Recreation Director; James Kirisits, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Ronald Marten, Building Inspector; and George Burst, Auto Mechanic Foreman.

I. PUBLIC HEARINGS

Item No. 2 Increase and Improvement of Facilities of Sanitary Sewer District No. 2, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law.

*SEE NEXT THREE (3) PAGES FOR COPY OF PUBLIC HEARING.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York.

January 5, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, New York, in said Town, on January 5, 1981, at 7:00 o'clock P.M. (E.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor, and
Frank E. Swiatek, Councilman
Thomas M. Johnson, Jr., Councilman
Frank J. Dux, Councilman
James R. Burst, Councilman
Donald J. Wegner, Councilman
William P. Rogowski, Councilman

There were absent:

Also Present: Richard A. Moleski, Town Clerk

James Kirisits, Town Attorney

* * *

At 7:00 o'clock P.M. (E.S.T.) the Town Clerk stated that a public hearing had been called for this meeting at the Town Hall, in said Town, at 7:00 o'clock P.M. (E.S.T.) to consider an increase and improvement of facilities of Sanitary Sewer District No. 2, in the Town of Cheektowaga, and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law. The Town Clerk

RECEIVED
JAN 23 1981
Richard M. Moleski, Town Clerk

read, in full, the notice calling said public hearing and presented affidavits showing that certified copies of said notice had been duly published and posted pursuant to the provisions of Article 12 of the Town Law.

The Supervisor stated that the hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard. The following persons appeared in favor of the increase and improvement of facilities of said sewer district:

None.

The following persons appeared in opposition to said increase and improvement of the facilities:

None.

The Town Clerk reported that the following pertinent communications had been received:

None.

He/She then read such communications to the meeting.

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

* * *

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD A. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on January 5, 1981, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 19th day of January, 1981

Richard A. Moleski
Town Clerk

(Seal)

Item No. 2 Cont'd.

The Supervisor directed the Town Clerk to present proof of publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

* * * * * * * * * * * * *

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
DUBONNET DRIVE	North-south	BORY DRIVE	Eastbound	S.W. Corner
DUBONNET DRIVE	North-south	DAVIDSON DRIVE	Eastbound	S.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

A. No parking this side or one-side parking

SEBRING DRIVE	East side & North side	from the south curbline of LEMANS DRIVE to the east property line of No. 57 SEBRING DRIVE, a point 420 feet
GEORGE URBAN BOULEVARD	North side	from the east curbline of HARLEM ROAD to the west curbline of WEST GRAND BOULEVARD

Section 103 is amended by adding thereto the following:

A. Parking signs: restricted and time limit.

(1) No parking school days 8:00 a.m. to 4:00 p.m.

ROSSLER AVENUE	West side	from the north curbline of DINGENS STREET to a point 440 feet northerly thereof.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

* * * * * * * * * * * * *

1/5/81

Item No. 3 Cont'd.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

II. RESOLUTIONS

Item No. 4 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Joseph L. Campo, M.D. has made application and requested the rezoning of property located at 2376 Harlem Road from R-Residential to RC-Restricted Business, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on January 19th, 1981 at 6:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deubler, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 8, 1981; last publication January 8, 1981; and that no more than six days intervened between publications.

Gladys M. Deubler

Sworn to before me this 9th day of January, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

No. 2

No. 3

No. 4

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 19th day of January 1981, at 6:00 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Joseph L. Campo M.D. to Rezone from R-Residential District to RC-Restricted Business District on property located at 2376 Harlem Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 33, Township 11, Range 7 of the Holland Land Company's Survey and on a certain Subdivision Map of a part of Walden Terrace filed in Erie County Clerk's Office under Cover No. 1762 is known and distinguished as Subdivision Lot No. 9.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: Jan. 8

No. 2

No. 3

No. 4

Item No. 5 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, John N. Michalik has made application and requested the rezoning of property located at William Street between Starlite & Tamark Ct. from R-Residential to RC-Restricted Business & CM-General Commercial District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on January 19, 1981 at 6:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

No. 2

No. 3

No. 4

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 8, 1981; last publication January 8, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 9th

day of January, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NO. 2

NO. 3

NO. 4

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 19th day of January 1981, at 6:00 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of John N. Michalik to Rezone from R-Residential District to RC-Restricted Business & CM-General Commercial District on property located at William Street between Starlite & Tamark Ct. and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

DESCRIPTION OF PROPERTY

ALL THAT PARCEL or PARCEL of LAND, situated in the Town of Cheektowaga, County of Erie and State of New York being part of Lot Number Twenty-three (23), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey bounded and described as follows:

Beginning at a point on the north side of William Street and fourteen hundred twenty-eight and ten hundredths (1428.10) feet from its intersection with the easterly line of Kennedy Street; running thence northerly and parallel to the easterly line of the Starlite Avenue subdivision to a distance of eight hundred five (805) feet; and thence easterly for a distance of sixty (60) feet to the intersection of the westerly line of the Tamark Court subdivision; and thence southerly for a distance of eight hundred five (805) feet to the point of intersection on the northerly side of William Street with a sixty (60) foot frontage.

IT IS REQUESTED that the front portion of this vacant land, sixty (60) feet fronted on William Street, to a depth of six hundred thirty five (635) feet north of William Street, be rezoned to RC, Retail Business District.

IT IS REQUESTED that the rear and northerly portion of this same vacant parcel, starting from the six hundred thirty five (635) foot point from William Street to the eight hundred five (805) foot depth from William Street (an area of 60 ft. x 170 ft.) be zoned CM-General Commercial.

REQUESTED BY OWNERS
Mr. & Mrs. John N. Michalik
395 Gold Street
Buffalo, New York 14206

REQUEST FOR REZONING VACANT LAND

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Supervisor Kennth J. Meyers
Councilmen:
Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst
RICHARD M. MOLESKI
Town Clerk

PUBLISHED: Jan. 8

Item No. 6 Motion by Councilman Wegner, seconded by Supervisor Meyers

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967 be held on the 19th day of January, 1981 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES, on the 8th day of January, 1981; said amendment being set forth in the Notice of Hearing.

* * * * * * * * * * * * *

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 19th day of January, 1981 at 7:00 P.M. Eastern Standard Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking:

LEMANS DRIVE	South side	from the east curbline of SEBRING DRIVE to the west curbline of BENZ DRIVE

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Dated: January 5, 1980

RICHARD M. MOLESKI
Town Clerk

* * * * * * * * * * * * * *

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Zechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 8, 1981; last publication January 8, 1981; and that no more than six days intervened between publications.

Gladys M. Zechter

Sworn to before me this 9th

day of January, 19 81

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 19th day of January, 1981 at 7:00 P.M. Eastern Standard Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking:

LEMANS DRIVE, South side, from the east curbline of SEBRING DRIVE to the west curbline of BENZ DRIVE

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: January 5, 1981
PUBLISHED: January 8, 1981

Item No. 7 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga is eligible for approximately $1,220,000 in Community Development Block Grant funding for fiscal year 1981, AND

WHEREAS, the Town of Cheektowaga has entered into Cooperation Agreements with the Villages of Sloan, Depew and Williamsville to procure these funds, AND

WHEREAS, public hearings were held on November 24, November 25 and December 1, 1980 in the Town and Villages to receive the suggestions and comments of individuals regarding the use of Community Development funds, AND

WHEREAS, the Town of Cheektowaga, as required by federal rules and regulations, must hold public hearings for the purpose of providing citizens of the Town and Villages with adequate information regarding the Community Development Program, performance during the program year, availability of funding and other program information, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held on Monday, January 19, 1981 at 6:00 P.M., at Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the twofold purpose of reviewing the Town's performance during the last fiscal year and reviewing the Town's application for submission for Community Development Block Grant funding during the 1981-82 program year to the local and State A-95 Clearinghouse, AND BE IT

FURTHER RESOLVED that notice of such hearing be published in the CHEEKTOWAGA TIMES and the COURIER EXPRESS on Thursday, January 8, 1981.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVITS ON NEXT TWO (2) PAGES.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hedstrom, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 8, 1981; last publication January 8, 1981; and that no more than six days intervened between publications.

Gladys M. Hedstrom

Sworn to before me this 9th
day of January, 19 81
Nadine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE OF PUBLIC HEARING

Town of Cheektowaga

The Town of Cheektowaga will hold a Public Hearing on Monday, January 19, 1981 at 6:00 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York regarding the Town's Community Development Block Grant Program. The Public Hearing is being held for a twofold reason:

1) To review the Town's performance in the Community Development Block Grant Program during the last fiscal year; and
2) To review the Town's application for submission to the local and State A-95 Clearinghouses for Community Development Block Grant funding during the 1981-82 Program Year.

The Town of Cheektowaga and the Villages of Sloan,Depew and Williamsville are eligible to receive $1,220,000 under Title I of the Housing and Community Development Act of 1974, as amended, during fiscal year 1981. Community Development funds may be used for housing and community development activities, particularly those which benefit low and moderate income persons. All citizens are invited and encouraged to attend the Public Hearing.

NOTICE OF PUBLIC HEARING

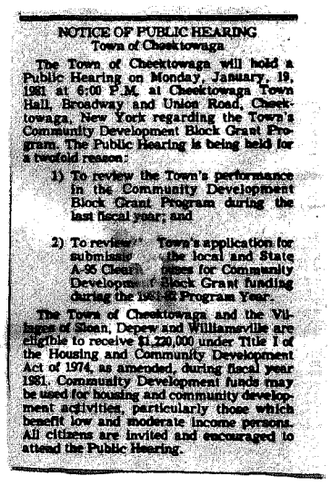
Town of Cheektowaga

The Town of Cheektowaga will hold a Public Hearing on Monday, January 19, 1981 at 6:00 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York regarding the Town's Community Development Block Grant Program. The Public Hearing is being held for a twofold reason:

1) To review the Town's performance in the Community Development Block Grant Program during the last fiscal year; and
2) To review the Town's application for submission to the local and State A-95 Clearinghouses for Community Development Block Grant funding during the 1981-82 Program Year.

The Town of Cheektowaga and the Villages of Sloan,Depew and Williamsville are eligible to receive $1,220,000 under Title I of the Housing and Community Development Act of 1974, as amended, during fiscal year 1981. Community Development funds may be used for housing and community development activities, particularly those which benefit low and moderate income persons. All citizens are invited and encouraged to attend the Public Hearing.

STATE OF NEW YORK
Erie County, City of Buffalo, } ss.



NOTICE OF PUBLIC HEARING
Town of Cheektowaga

The Town of Cheektowaga will hold a Public Hearing on Monday, January, 19, 1981 at 6:00 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York regarding the Town's Community Development Block Grant Program. The Public Hearing is being held for a twofold reason:

1) To review the Town's performance in the Community Development Block Grant Program during the last fiscal year; and

2) To review Town's application for submission of the local and State A-95 Clearinghouses for Community Development Block Grant funding during the 1981-82 Program Year.

The Town of Cheektowaga and the Villages of Sloan, Depew and Williamsville are eligible to receive $1,220,000 under Title I of the Housing and Community Development Act of 1974, as amended, during fiscal year 1981. Community Development funds may be used for housing and community development activities, particularly those which benefit low and moderate income persons. All citizens are invited and encouraged to attend the Public Hearing.

Alice Anderson

of the City of Buffalo, being duly sworn, deposes and says, that he is chief clerk in the office of BUFFALO COURIER-EXPRESS a daily newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ..... weeks the first insertion being on the 8 day of January 19 81 and the last insertion being on the .... day of ....., 19 , and not more than .... days intervened between any two publications thereof.

Alice Anderson

Sworn before me this 8 day of January 19 81

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 19 82

Mary Lou Troy
Notary Public, Erie County, N.Y.

Item No. 8 Motion by Councilman Wegner, seconded by Supervisor Meyers

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for furnishing of Baseball Equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M. Eastern Standard Time, on February 2, 1981 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1981 at 7:00 P.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Road for baseball equipment.

Information for bidders and specifications may be obtained from the Town Clerk at his office in Town Hall.

The bidder agrees to make every attempt to deliver all contracted items in sixty (60) days or less from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the items originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

_____
RICHARD MOLESKI
Town Clerk

* * * * * * * * * * * * * *

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

*SEE AFFIDAVIT ON NEXT PAGE.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 8, 1981; last publication January 8, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 9th day of January, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NO. 2

NO. 3

NO. 4

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1981, at 7:00 p.m. Eastern Standard Time at the Town Hall, corner of Broadway and Union Road for baseball equipment.

Information for bidders and specifications may be obtained from the Town Clerk at his office in Town Hall.

The bidder agrees to make every attempt to deliver all contracted items in sixty (60) days or less from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the items originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD MOLESKI
Town Clerk

PUBLISHED: Jan. 8

No. 2
No. 3
No. 4

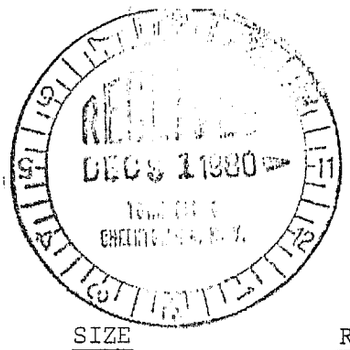
Item No. 9 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, bids were duly received and opened on December 15, 1980 as the result of advertisement, therefore, for the furnishing of tire and tube requirements to the Town of Cheektowaga for the Equipment Committee for the year of 1981, AND

WHEREAS, bids were referred to the Town Engineer for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the bids be awarded to the lowest responsible bidder of each item meeting the specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*SEE NEXT TWO (2) PAGES FOR ANALYSIS, TABULATION AND REPORT.



TIRE BID TABULATION

SIZE	FIRESTONE STORE & TRUCK CENTER REG	M & S	TUBES	DIVISION TIRE & AUTO PARTS INC. REG	M & S	TUBES
10.00 X 20 X 14	148.91	162.14	10.56	148.75	161.94	10.56
10.10 X 20 X 12	115.77	143.35	10.56	115.50	142.95	10.56
8.25 X 20 X 10	79.69	98.73	8.14	79.50	96.75	8.14
9.50 X 16.5 X 8	45.26	55.29	4.77	45.26	55.29	4.77
10.00 X 15 X 8	58.02	60.94	--	143.09	--	11.80
8.75 X 16.5 X 8	41.58	50.71	4.20	41.58	50.71	4.20
7.50 X 16 X 6	43.01	43.08	5.53	43.01	47.62	5.53
7.50 X 16 X 8	43.91	49.33	5.53	43.91	54.48	5.53
LR 78 - 15	42.52	41.48	7.26	42.42	50.91	7.52
HR 78 - 15	39.72	38.60	7.26	39.65	44.29	7.26
L - 78 - 15	34.11	35.75	4.83	36.79	42.48	4.91
H - 78 - 15	32.25	33.77	4.83	34.29	39.59	4.91
7.00 X 16 X 6	40.37	41.42	5.53	40.37	45.39	5.53
7.00 X 16 X 8	--	--	5.53	--	--	5.53
7.00 X 14 X 6	33.51	30.59	4.52	33.51	30.59	--
11.00 X 20 X 14	162.50	176.44	12.71	162.39	176.24	12.71
7.50 X 20 X 10	66.49	82.22	7.06	66.29	69.90	7.06
6.70 X 15 X 6	34.96	32.99	4.91	29.64	32.99	3.83
7.75 X 15 X 4	27.55	37.18	4.91	--	35.60	3.81
7.60 X 15 X 6	29.02	39.62	4.91	34.35	39.62	4.91
7.75 X 14 X 4	25.67	34.62	4.52	30.38	34.62	4.28
12.00 X 20 X 14	215.36	303.29	16.60	214.99	312.89	16.60
16.9 X 24 X 6	187.73	--	16.44	--	166.95	16.44
26 X 12 X 4	--	--	--	--	30.82	--
6.00 X 16 X 6	24.93	--	3.16	24.93	--	3.16
11.2 X 28 X 4	70.68	--	10.92	--	70.59	10.92
14.9 X 24 X 6	122.99	--	15.01	--	137.87	15.01
38 X 20 X 4	--	--	--	--	37.15	6.09
BRAND		FIRESTONE			FIRESTONE	

NO. 2

NO. 3

NO. 4

TIRE BID TABULATION

SIZE	FLEET TIRE INC. REG	FLEET TIRE INC. M & S	FLEET TIRE INC. TUBES	GENERAL TIRE REG	GENERAL TIRE M & S	GENERAL TIRE TUBES
10.00 X 20 X 14	137.06	152.77	11.68	157.08	160.19	13.64
10.10 X 20 X 12	120.88	132.04	11.68	142.80	149.94	--
8.25 X 20 X 10	75.91	90.85	9.09	95.88	100.67	9.70
9.50 X 16.5 X 8	45.76	52.67	7.33	59.85	63.15	8.61
10.00 X 15 X 8	49.15	59.13	12.85	--	--	--
8.75 X 16.5 X 8	42.11	48.83	7.33	51.29	54.13	8.61
7.50 X 16 X 6	35.52	41.34	5.75	41.33	44.71	6.24
7.50 X 16 X 8	40.54	47.29	5.75	47.29	51.13	--
LR 78 - 15	50.84	56.81	6.73	63.22	71.62	--
HR 78 - 15	47.48	53.03	6.73	57.04	66.64	--
L - 78 - 15	25.82	39.77	4.28	35.85	45.53	--
H - 78 - 15	22.34	34.29	4.28	32.98	42.00	--
7.00 X 16 X 6	33.22	39.39	5.75	36.43	--	5.14
7.00 X 16 X 8	39.50	45.56	5.75	--	--	--
7.00 X 14 X 6	--	--	--	30.33	37.63	--
11.00 X 20 X 14	162.97	181.52	14.19	181.44	190.51	17.46
7.50 X 20 X 10	62.19	75.78	7.59	75.45	86.77	8.66
6.70 X 15 X 6	28.87	32.59	4.61	28.52	27.55	--
7.75 X 15 X 4	34.78	38.60	4.61	--	--	--
7.60 X 15 X 6	32.63	33.80	6.14	--	--	--
7.75 X 14 X 4	39.48	32.27	3.91	--	--	--
12.00 X 20 X 14	198.21	250.00	15.02	211.19	242.81	21.96
16.9 X 24 X 6	141.23	--	18.47	--	--	--
26 X 12 X 4	29.69	--	8.06	--	--	--
6.00 X 16 X 6	21.03	--	3.24	--	--	--
11.2 X 28 X 4	59.72	--	12.17	--	--	--
14.9 X 24 X 6	99.30	--	14.19	--	--	--
38 X 20 X 4	--	--	--	--	--	--
BRAND		GOODYEAR			GENERAL	

Item No. 9 Cont'd.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga is operating a Meals on Wheels Program for the elderly at the facilities of Maryvale Drive Presbyterian Church located at 425 Maryvale Drive, AND

WHEREAS, an agreement between the Town of Cheektowaga and Maryvale Drive Presbyterian Church has been drafted relative to the operation of the Meals on Wheels Program for the year 1981, NOW THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign the said agreement on behalf of the Town of Cheektowaga retroactive to January 1, 1981.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at the facilities of: St. John Gualbert's Parish, located at 83 Gualbert Avenue, Cheektowaga; Our Lady of Czestochowa Parish, located at 23 Willowlawn Pkwy., Cheektowaga; Maryvale Drive Presbyterian Church, located at 425 Maryvale Drive., Cheektowaga; and Infant of Prague Parish, located at 921 Cleveland Dr., Cheektowaga, AND

WHEREAS, an agreement between the Town of Cheektowaga and the above churches has been drafted relative to the operation of the said nutrition program for the year 1981, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign the said agreement on behalf of the Town of Cheektowaga.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Cheektowaga Youth Bureau co-sponsored a successful Cultural Enrichment Program with Villa Maria College, 240 Pine Ridge Road, Cheektowaga, New York, during 1980, and

WHEREAS, Villa Maria College has proposed conducting a similar program during March and April of this year, and

WHEREAS, the program would be open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

No. 2
No. 3
No. 4

Item No. 12 Cont'd.

RESOLVED that the Town of Cheektowaga Youth Bureau fund said program at a total cost not to exceed $1,200.00.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT	0

Item No. 13 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the consulting firm of McFarland-Johnson Engineers, Inc. have approved a Change Order on the Alexander Pedestrian Bridge Project, AND

WHEREAS, the scope of work on the Change Order on this project is described in a letter from the Town Engineer dated December 31, 1980 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 2, in the amount of $3,481.35, on the Alexander Pedestrian Bridge Project, as an addition to the contract of Union Concrete and Construction Corporation, 105 Center Road, West Seneca, New York 14224 be approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER.

No. 2

No. 3

No. 4

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

RECEIVED
DEC 31 1980
TOWN CLERK
CHEEKTOWAGA, N. Y.

December 31, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 2
Alexander Pedestrian Bridge

Gentlemen:

The attached resolution is submitted for your approval of Change Order No. 2 on the Alexander Pedestrian Bridge, an addition of $3,481.35 to the contract.

This Change Order is to equitably reimburse the contractor for items of work he was required to perform which were not provided in the contract as originally bid. The Change Order balanced out the increases and decreases in the quantities actually used or work performed at the unit bid prices.

A complete detailed breakdown of each item of increase or decrease is on file in the Engineering Department. This Change Order and final payment will close out the project.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

No. 2

No. 3

No. 4

Item No. 13 Cont'd.

Upon Roll Call.....

AYES:	Councilmen Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	Supervisor Meyers and Councilman Swiatek
ABSENT:	0

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Main Pump Station of the Town's Sanitary Sewer District No. 5 Water Pollution Control Project is now totally enclosed, AND

WHEREAS, components such as electric motors, switchgear, dry wall and paint are subjected to alternate freeze-thaw cycles and also high humidity and condensation, which conditions are detrimental as outlined in the letter of December 8, 1980 by Nussbaumer & Clarke, Inc. to the Town Engineer, AND

WHEREAS, the contractor is responsible for the provision of temporary heat only for areas being worked in and only during a curing period, AND

WHEREAS, the contractor intends to stop further work on this project until warmer weather arrives, NOW, THEREFORE, BE IT

RESOLVED, that in the interest of protecting the equipment and interior and in order to keep the project moving along, this Town Board, acting as the Board of Governors of Sanitary Sewer District No. 5, is hereby authorizing the activation of the heating and air handling system so as to provide heat to the Main Pump Station, AND, BE IT FURTHER

RESOLVED, that utility bills associated with this heating system will be paid from the Sanitary Sewer District No. 5 account.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town Engineer recommends that all pumping stations be monitored from the Main Pump Station, now under construction, so as to effectively control all pump stations with improvement in response time in any malfunctions and to save costs of Main Pump Station monitoring sewer crews, AND

WHEREAS, Nussbaumer & Clarke, Inc., in their report of December 8, 1980 to the Town Engineer determined that it would be more economical to install a radio telemetry system rather than leasing telephone lines, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, acting as Board of Managers of Sewer District No. 5, and in the interest of providing better services to the residents of said Sewer District No. 5 with a reduction in operating costs be and hereby approves the provision of telemetry equipment as part of the Main Pump Station Water Pollution Control Project.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

No. 2 No. 3 No. 4

Item No. 16 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the Cheektowaga Town Board has instructed Frederick Marzak Architects, 3347 Genesee Street to provide architectural services for a Senior Citizens Center at a site located east of Town Hall, AND

WHEREAS, test borings are a necessary requirement to prepare said preliminary plans and cost estimates, NOW, THEREFORE, BE IT

RESOLVED, the Anderson Drilling Company Inc., 4318 South Buffalo Street, Orchard Park, New York, 14127, is hereby authorized to conduct said test borings at a fee not to exceed $1,300.00.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 17 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the Cheektowaga Senior Citizens Department has conducted a Town wide survey of Senior Citizens to determine their input as to the location of a Senior Citizens Center, AND

WHEREAS, the concensus of those participating through ballot have indicated a preference for a Town Hall site location, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby instruct Frederick Marzak Architects, 3374 Genesee Street, Cheektowaga, New York to prepare preliminary design plans and cost estimates for a Senior Citizens Center at the publicly owned site east of Cheektowaga Town Hall, AND, BE IT FURTHER

RESOLVED that Frederick Marzak Architects submit a proposal to the Board for scope of services and fees, should site development proceed to completion.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES:	Councilman Dux
ABSENT:	0

Item No. 18 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a Resolution was passed on December 1, 1980 retaining the firm of Stuart Alexander & Associates for professional planning and design services for the Town's 1980-81 Community Development Block Grant program, NOW, THEREFORE, BE IT

RESOLVED that said Resolution be amended to include the attached, revised Scope of Services as the basis for professional planning and design services to be provided by Stuart Alexander & Associates.

*SEE NEXT TWO (2) PAGES FOR REVISED SCOPE OF SERVICES.

No. 2 No. 3 No. 4

STUART ALEXANDER AND ASSOCIATES

1152 MAIN STREET
BUFFALO, NEW YORK 14209
716-884-5600

Scope of Services:
Town of Cheektowaga
Community Development Block Grant
Fiscal Year 1980-81

Pursuant to the approval of the 1980-81 Community Development Block Grant Program by U.S. Department of Housing and Urban Development the following technical design services have been budgeted and are herein specified and defined as eligible as per section 570.205 of the C.D.B.G. Rules and Regulations.

Further, pursuant to a communication dated November 26, 1980 from Mr. John S. Mowatt, Director, Community Development Program, County of Erie, all cost identified herein are chargeable as technical fees to achieve expenditures and implementation of Town C.D.B.G. funds (as per Town, Erie County Consortium contract requirements specifically paragraphed 29) as provided to the Town through the County of Erie Consortium for C.D.B.G. fiscal year 1980-81. And, said services do not include planning, coordination or design work germane to projects funded by the Town C.D.B.G. program as a Metro-City applicant.

IA. Prepare amended final design and bid specifications for Windwood Court recreation improvements.

Bid Date: March 1, 1981
Construction: May 30, 1981

B. Supervise recreation construction improvements for Windwood Court recreation corridor.

II. Prepare Bid documents, final drawings and supervise construction for Maryvale and Community Drive Entranceway improvements.

Bid Date: March 1981
Construction: Summer 1981

III. On site inspection and supervision of capital improvements: Trent Square, Sierra, Shelby, Allison Drives (Bid awarded).

Construction start: March 30, 1981

- cont'd -

IV. Preparation of design specifications for two traffic control installations through islands and modified roadways for Glenwood Court (safer off road systems matching grant).

Bid Date: March 1981

V A. Supervise/coordinate capital construction improvements relating to sidewalk, curb and neighborhood improvements for Walden Avenue - to be bid December 1980 - Spring 1981 construction start.

B. Provide technical construction liasion on behalf of Town with residents and businessmen experiencing inconveniences and problems during construction.

VI. Monitor and review low interest loan/grant program for home improvements in target areas pursuant to Town Codes and Ordinances and contractural agreement with M & T Bank.

VII. Provide technical inspection assistance to building inspectors pursuant to Town Loan Grant program.

TOTAL FEE: Design, bid specifications construction inspection, Technical Services $31,200

No. 2
No. 3
No. 4

Item No. 18 Cont'd.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 19 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town Board desires the services of a Certified Public Accounting Firm for services in the areas of:

Annual Audit, management letter, and Report thereon of the 1980 year
Preparation of 1980 NYS Annual Financial Report to Comptroller
Preparation of mandated US Census Bureau Reports
Preparation of 1981 Benefit Basis Budget
Assistance to the Bookkeeper to the Supervisor in preparing the 1981 Ad Valorem Budgets
Consultation to Town Accounting and Payroll Departments
Consultation to the Supervisor and Town Board on Special Matters, AND

WHEREAS, the Town Board desires to retain the services of Main Hurdman & Cranstoun, CPA's for these services, NOW, THEREFORE, BE IT

RESOLVED that Main Hurdman & Cranstoun be retained for the year 1981 at a monthly fee of $2,550.00 chargeable to the accounting, budget and audit line items in the various General and Special District budgets. The audit months of January, February and March to be invoiced at $5,000.00 monthly, with the remaining 9 months invoiced at $1,733.33.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 20 Retain Ernest A. Holfoth, CPCU,ARM for risk management services. This item was withdrawn.

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga's 1980-1981 Community Development Block Grant application contains an appropriation of funds for purpose of a housing inspection/code enforcement program in the Town's targeted Neighborhood Improvement areas, AND

WHEREAS, said application has been approved by the U.S. Department of Housing and Urban Development, NOW, THEREFORE, BE IT

RESOLVED that Loris L. Durfee, residing at Cheektowaga, New York, be and hereby is retained for 1981 as a part-time Housing Inspector for the Community Development Block Grant Program at his current rate of pay, on a personal services contract-basis.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

No. 2 No. 3 No. 4

Item No. 22 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga'a 1980-81 Community Development Block Grant application contains an appropriation of funds for purposes of a housing inspection/code enforcement program in the Town's targeted Neighborhood Improvement areas, AND

WHEREAS, said application has been approved by the U.S. Department of Housing and Urban Development, NOW, THEREFORE, BE IT

RESOLVED that Lawrence J. Kensy, residing at Cheektowaga, New York, be and hereby is retained for 1981 as a Housing Inspector for the Community Development Block Grant Program at his current rate of pay, on a personal services contract basis, effective as of January 1, 1981.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, Police Officers and certain other Town Employees require various physical and other medical examinations, which in the past have been performed gratuitously, AND

WHEREAS, the Town Health Officer is limited by law and by the nature of his duties from performing certain medically-related functions for the Town, NOW, THEREFORE, BE IT

RESOLVED, that Louis A. Vendetti, M.D. be and hereby is retained by the Town on a contract basis to perform physical examinations and other medically related functions for the Town, for the period of January 1, 1981 to December 31, 1981, at a fee of $13,000.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Dux, Burst, Wegner and Rogowski
NAYES: Councilman Johnson
ABSENT: 0

Item No. 24 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga has signed Cooperative Agreements with the Villages of Sloan, Depew, and Williamsville for the purpose of making application to HUD for Community Development Block Grant funds under "Metropolitan City Status" for the 1981-82 Program Year, AND

WHEREAS, in order to insure appropriate citizen participation during the application process throughout the entire Program Year, and to supplement the ongoing neighborhood citizen participation process and the citizen advisory committee's in the participating Villages, it would be in the best interests of the Town to establish a Community Development Block Grant Citizens Advisory Committee composed of various community members who represent the different interests, neighborhoods and socio-economic conditions within the Town, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Community Development Block Grant Citizens Advisory Committee be and hereby is established, AND BE IT

FURTHER RESOLVED that the following individuals are hereby appointed to this Committee for 1981:

No. 2 No. 3 No. 4

Item No. 24 Cont'd.

Mr. Fred Smith	Rev. Richard Turner Maryvale Presbyterian Church 425 Maryvale Drive	Mrs. Mildred Allen
Mrs. Adele Sicignano	Mr. Dennis Mavromatis	Mr. William Smith
Rev. Gerard Green, Pastor St. Barnabas R.C. Church 2049 George Urban Blvd.	Dr. Andrew Mulligan Cheektowaga Central School 3600 Union Road	Mr. Edward Granda
Mr. Carl Levorchick	Mr. Stanley Stachewicz	

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Rogowski, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga has retained the services of Frederick Marzak Architects, 3374 Genesee Street, Cheektowaga, New York, to provide architectural services related toward construction of a Senior Citizens Center located east of Town Hall, AND

WHEREAS, a need exists for the Town Board to appoint a representative to co-ordinate the efforts of the various Town Departments and Frederick Marzak Architects, AND

WHEREAS, Facilities Department Director, James J. Matecki has extensive experience in representing the Board in previous construction projects, NOW, THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board hereby appoints James J. Matecki, Director of the Facilities Department, as Project Co-ordinator relative to construction of a Senior Citizens Center.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski.
NAYES: Councilman Dux
ABSENT: 0

Item No. 26 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the Cheektowaga Facilities Department for the position of General Mechanic, AND

WHEREAS, said vacancy has been posted as per the Collective Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, NOW, THEREFORE BE IT

RESOLVED, that Mr. Eugene Holiday, Cheektowaga, New York 14225, is hereby appointed to the position of General Mechanic in the Facilities Department effective January 6, 1981.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, the Cheektowaga Facilities Department requires seasonal and part-time employees to provide basic services to various Town Departments, as well as the general public, BE IT

RESOLVED, that the following individuals are hereby hired in the Cheektowaga Facilities Department effective January 6, 1981 as listed:

Seasonal Maintenance Mechanic @ $5.00 per hour

Robert Kiszewski - , Cheektowaga, N.Y. 14206
James Wozniak - , Depew, New 14043
John Rogowski - ., Cheektowaga, N.Y. 14212

Seasonal Laborer @ $3.10 per hour

Robert Nowak - , Cheektowaga, N.Y. 14227

Ronald F. Mietus - , Depew, New York 14043

Part-Time Clerical

Jane Trembowicz - Cheektowaga, N.Y. 14206

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS the Cheektowaga Sanitation Department is in need of seasonal employees to fill daily assignments to cover sickness, personal leave and vacations, AND

WHEREAS the Cheektowaga Sanitation Department is in need of seasonal employees to fill daily assignments to hold down overtime, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be hired in the Cheektowaga Sanitation Department as seasonal employees at the title and rate per hour as listed below:

Seasonal Clerical at $3.10 per hour

Rose Gawel

Seasonal Laborers at $3.10 per hour

Anthony Broniszewski
Anthony Chirico, Jr.
Gregory Miller
Robert Bartosz
Richard Marinaccio
John Sczepanik
Gregory Bystrak
David Long

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 29A Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW THEREFORE BE IT

RESOLVED that Kathleen Mohr of , Cheektowaga, New York 14227, social security number , is hereby hired and assigned to the Camp Fire of Buffalo and Erie County, as a Field Services Director at a salary of $8,400/year, and be it further

RESOLVED that Kathleen Mohr will be placed on the Cheektowaga payroll as a convenience to the worksite. Her pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 29B Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW THEREFORE, BE IT

RESOLVED that the following employees are hereby hired and assigned to the Legal Aid Bureau of Buffalo, Inc., and be it further

RESOLVED that they will be placed on the Cheektowaga payroll as a convenience to the worksite. Their pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Legal Clerk at a yearly salary of $8,200.00

Szewczuk, Vera , Sloan, New York 14212
Social Security Number

Paralegal at a yearly salary of $8,200.00

Rzepka, Patricia , Cheektowaga, N.Y. 14225
Social Security Number

Clerk-Typist at a yearly salary of $7,300.00

Kushniruk, Diane , Cheektowaga, New York 14225
Social Security Number

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 29C Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW THEREFORE BE IT

RESOLVED that Marie Salonek of , Cheektowaga, New York 14206, social security number , is hereby hired and assigned to the Senior Jobs Program, as a Community Aide at a salary of $3.8462/ an hour, and be it further

Item No. 29C Cont'd.

RESOLVED that Marie Salonek will be placed on the Cheektowaga payroll as a convenience to the worksite. Her pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 29D Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW THEREFORE BE IT

RESOLVED that David Kowal of , Cheektowaga, New York 14225, social security number is hereby hired and assigned to the Valley Community Association, as a Recreation Instructor at a salary of $3.90/an hour, and be it further,

RESOLVED that David Kowal will be placed on the Cheektowaga payroll as a convenience to the worksite. His pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, several members of the Traffic Safety Commission have terms expiring December 31, 1980, NOW, THEREFORE, BE IT

RESOLVED that the following appointments be and are hereby made to the Traffic Safety Commission, commencing January 1, 1981 and expiring December 31, 1983:

Alex J. Thrun	Cheektowaga, N.Y.
Patrick Costrine	Cheektowaga, N.Y.
Charles Getz	Cheektowaga, N.Y.
Theodore Kurk	Cheektowaga, N.Y.
John Sandilands	Marilla, N.Y.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that Bernice E. Snyder, of , Cheektowaga, New York, be and hereby is reappointed to a full five (5) year term on the Cheektowaga Library Board; said five (5) year term to commence on December 30, 1980.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

NO. 2 NO. 3 NO. 4

Item No. 32 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, Robert Colgrove an employee in the Sanitation Department, has been absent from work due to illness and

WHEREAS, Robert Colgrove has exhausted all of his accumulated sick leave, personal leave and vacation days in addition to extended sick leave, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 8.03 Article 9 of the Agreement between the Town of Cheektowaga and Cheektowaga Employee's Association, Robert Colgrove is hereby granted a six (6) month leave of absence without pay due to illness, said leave of absence effective December 19, 1980. Benefits shall not accrue during leave of absence.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS Patricia Wojcik was appointed provisionally to the position of Recreation Supervisor (Senior Citizens), by Town Board resolution dated April 7, 1980, NOW, THEREFORE, BE IT

RESOLVED that Patricia Wojcik be and hereby is granted an extended leave of absence from her previous position of Recreation Attendant (Senior Citizens), while serving in the above mentioned provisional position; said extended leave of absence shall be for a period of six months, retroactive to October 8, 1980.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 34 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, The New York State Board of Equalization & Assessment is sponsoring a training course from January 5 to January 9, 1981, at Erie Community College, AND

WHEREAS, Andrew Schwenk, Town Assessor, has requested that permission be given to William Conway, an employee of the Assessor's Office, to attend the training course at no expense to the Town, NOW, THEREFORE, BE IT

RESOLVED, that William Conway be and hereby is authorized to attend the training session being sponsored by the New York State Board of Equalization & Assessment from January 5 to January 9, 1981.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 35 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the Cheektowaga Supervisory Group, through unanimous approval, has accepted General Foreman, James J. Matecki and Working Foreman, Bernard Wojtkowiak

No. 2 No. 3 No. 4

Item No. 35 Cont'd.

into its bargaining agreement as members in good standing, AND

WHEREAS, the Supervisory Group has petitioned the Town Board to commence the deduction of monthly dues, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorizes the deduction of Cheektowaga Supervisory Group monthly dues from Mr. Matecki's and Mr. Wojtkowiak's payrolls as acknowledged members of said Collective Bargaining Agreement, effective immediately.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Dux, Burst, Wegner and Rogowski
NAYES:	Councilman Johnson
ABSENT:	0

Item No. 36 Motion by Councilman Burst, seconded by Councilman Dux

RESOLVED that the salaries of elected Town officials for the year 1981 and thereafter, be established as follows:

Supervisor	$32,115.00
Councilmen (6 each)	$10,970.00
Town Clerk	$21,480.00
Highway Superintendent	$25,545.00

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 37 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLUTION COVERING FACSIMILE SIGNATURE

RESOLVED that the Marine Trust Company (Cheektowaga Office), Liberty National Bank and Trust Company (Harlem Road Office), Bank of New York (Cheektowaga Office), Chase Manhattan Bank of Western New York, N.A. (Depew Office), Manufacturers and Traders Trust Company (Airport Plaza Office), and Manufacturers Hanover Trust Company Western, N.A. (Depew Office), as designated depositories of the Town of Cheektowaga, be and they hereby are requested, authorized and directed to honor checks, notes, and other instruments for the payment of money against Town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of Kenneth J. Meyers, Supervisor ----

and the Marine Trust Company (Cheektowaga Office), Liberty National Bank and Trust Company (Harlem Road Office), Bank of New York (Cheektowaga Office), Chase Manhattan Bank of Western New York, N.A. (Depew Office), Manufacturers Hanover Trust Company Western, N.A. (Depew Office), and Manufacturers and Traders Trust Company (Airport Plaza Office), shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes, and other instruments, regardless of whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen or specimens duly certified to or filed with the said banks by the Supervisor, the Town Clerk or other officer of the Town of Cheektowaga.

NO. 2 NO. 3 NO. 4

Item No. 37 Cont'd.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 38 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that the following Town Officers, pursuant to Section 25 of the Town Law, shall furnish an official undertaking in the sums so specified, on which undertaking the surety shall be a surety company authorized to do business in the State of New York and to issue such undertakings, the same to be submitted promptly to this Town Board for its approval:

Supervisor	$300,000
Deputy Supervisor	$300,000
Town Clerk	$ 50,000
Superintendent of Highways	$ 50,000
Receiver of Taxes	$ 50,000
Justice of Peace (2)	$ 25,000 each
Library Board Chairman	$ 5,000
Library Board Secretary	$ 5,000

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 39 Motion by Supervisor Meyers, seconded by Councilman Burst

RESOLVED that the following banking institutions be named official Town depositors for the following demand and savings funds as indicated:

Marine Trust Company (Cheektowaga Office)
- Payroll
- Highway Fund

Manufacturers and Traders Trust Company (Airport Plaza)
- Debt Service Fund
- General Fund
- Special Districts
- Chapel Book Fund
- HUD Rehabilitation Grants & Loans

Bank of New York (Como Mall & Union)
- Trust and Agency Fund
- HUD-NPP

Liberty National Bank and Trust Company (Harlem Road Office)
- Federal Revenue Sharing Fund

Chase Manhattan (Depew Office)
- Capital
- Part Town Fund

NO. 2 NO. 3 NO. 4

Item No. 39 Cont'd.

Manufacturers Hanover Trust Company (Depew Office)
HUD-CDBG

Citibank (Airport Plaza)
Special Assessment

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 40 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the attached General Fund year-end budget transfers be and hereby are approved:

*SEE NEXT PAGE FOR BUDGET TRANSFERS

TOWN OF CHEEKTOWAGA

December 31, 1980 - General Fund Budget Transfers

From			To	
A8560.429	Shade Trees	$ 3,000.00	A1010.137	Clerk Part Time - T. Board
A8560.429	Shade Trees	2,000.00	A1010.400	Office Supplies - T. Board
A1110.133	Justice Clerk	7,000.00	A1110.137	Clerical - Justices
A8560.429	Shade Trees	2,000.00	A1110.400	Office Supplies - Justices
A8560.429	Shade Trees	800.00	A1110.459	Juror Fees - Justices
A1220.137	Clerical Supervisor	8,000.00	A1220.139	Clerical PT - Supervisor
A9010.810	State Retirement	200.00	A1220.200	Office Equipment - Supervisor
A9010.810	State Retirement	600.00	A1220.400	Office Supplies - Supervisor
A9010.810	State Retirement	4,000.00	A1220.442	Data Processing - Supervisor
A9010.810	State Retirement	9,000.00	A1330.400	Office Supplies - Tax Collection
A9010.810	State Retirement	3,000.00	A1330.426	County Supplies - Tax Collection
A9010.810	State Retirement	4,400.00	A1355.139	Clerical PT - Assessor
A9015.811	Police Retirement	11,000.00	A1410.139	Clerical PT - T Clerk
A9015.811	Police Retirement	5,000.00	A1410.400	Office Supplies - T Clerk
A9015.811	Police Retirement	1,000.00	A1410.455	Steno - T Clerk
A9015.811	Police Retirement	1,000.00	A1420.139	Clerical PT - T Atty
A9040.813	Workmen Compensation	3,000.00	A1440.149	Seasonal Help - Engr.
A9040.813	Workmen Compensation	500.00	A1440.405	Maps Engineer
A9040.813	Workmen Compensation	1,500.00	A1440.419	Miscellaneous Engineer
A9040.813	Workmen Compensation	2,000.00	A1440.459	Rodent Control Engineer
.9040.813	Workmen Compensation	1,500.00	A1440.460	PIP Expenses Engineer
.9040.813	Workmen Compensation	10,000.00	A1450.122	Election Inspectors
A1625.144	Utility Labor	10,000.00	A1621.149	Bldg. Maint. PT
A1625.144	Utility Labor	7,000.00	A1623.149	Plumbing PT
A1640.144	Laborer Garage	4,000.00	A1640.129	Mech. Helper - Garage
A9040.813	Workmen Compensation	32,000.00	A1640.149	Summer Help - Garage
A1640.445	Maint. Motor Equip	4,000.00	A1640.444	Collision Repairs - Garage
A1910.430	Unall Insurance	12,000.00	A1990.480	Contingent
A1910.430	Unall Insurance	8,000.00	A3120.152	Det. Sergeants
A1910.430	Unall Insurance	28,000.00	A3310.437	Signs and Street Marking
A1910.430	Unall Insurance	8,000.00	A3310.449	Signal Repairs
A9070.817	Unemp. Insurance	2,000.00	A3510.200	Van
A9070.817	Unemp. Insurance	1,500.00	A3510.400	Supplies
A4737.000	CETA Revenue	195,000.00	A6250.100	CETA I-II Wages
A4337.000	CETA Revenue	30,000.00	A6250.100	CETA I-II Benefits
A7140.550	Rec. Spec. Events	17,000.00	A7140.450	Rec. - Special Expense

Item No. 40 Cont'd.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 41 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to January 5, 1981 are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NOS. FROM TO	AMOUNT
GENERAL FUND	17594, 18441-18586	$ 85,322.02
PART TOWN FUND	354-364	2,022.90
SPECIAL DISTRICT FUND	8066-8125	161,477.64
HIGHWAY FUND	6011-6049	35,487.75
CAPITAL FUND	405-409	112,756.27
TRUST AND AGENCY FUND	924-927	657.50
FEDERAL REVENUE SHARING FUND	656-677	13,318.72
H.U.D.-C.D.B.G. FUND	301-302	14,508.95
		$425,551.75

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

III. FROM THE TABLE

Item No. 42 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that the zoning district classification of a number of parcels of property in the Town be changed so as to conform with present uses, adjacent uses and surrounding neighborhoods; said properties being generally described as follows:

The west side of Union Road beginning south of the existing gas station at 3535 Genesee Street on the southwest corner of Union Road at Genesee Street going south on Union Road to the existing R-Residential District located at 4074 Union Road; and as shown on the attached map of the area and being more particularly described as follows:

Tax Account No.	Owner	Address
24-600	Edward Krysztof & wife	
24-602	Dick O'Connor	
24-603	Camille A. Colvin	
24-161	Carlton Fath & wife	
24-160	Wanda T. Fath	
24-159	Peter J. Privitera & wife	
24-158	Peter J. Privitera & wife	
24-157	Ronald A. Bress & wife	
24-139	4118 Union Road Corp.	
24-137	Hattie Lederhouse	
24-135	Francis R. Santillo & wife	

Item No. 42 Cont'd.

and

WHEREAS, a map showing the properties which are proposed to be rezoned is available in the Town Clerk's Office during regular business hours, 9:00 a.m. to 4:30 p.m. for the inspection thereof by all parties in interest and citizens, and

WHEREAS, the said recommendation was to rezone said area from its present zoning district classifications of CM-General Commercial District to RC-Restricted Business District, and

WHEREAS, Section 10-00, Article X of the Zoning Ordinance of the Town of Cheektowaga authorizes the Town Board, on its own motion, or on a recommendation by the Zoning Board of Appeals, or the Planning Board, to amend, supplement or repeal the regulations, provisions or boundaries of said Ordinance, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 19th day of January 1981 at 6:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than 10 days prior to the date of said hearing.

* * * * * * * * * * * * * *

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 19th day of January, 1981 at 6:00 o'clock P.M. of said day for the purpose of considering the recommendations of the Planning Board to rezone from their present zoning district classifications of CM-General Commercial District to RC-Restricted Business District the following properties:

The west side of Union Road beginning south of the existing gas station at 3535 Genesee Street on the southwest corner of Union Road at Genesee Street going south on Union Road to the existing R-Residential District located at 4074 Union Road; and as shown on the attached map of the area and being more particularly described as follows:

Tax Account No.	Owner	Address
24-600		
24-602		
24-603		
24-161		
24-160		
24-159		
24-158		
24-157		
24-139		
24-137		
24-135		

and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity

No. 2
No. 3
No. 4

Item No. 42 Cont'd.

to be heard in regard to such proposed recommendations.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

* * * * * * * * * * * * *

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT OF POSTING AND MAP OF AREA ON NEXT TWO (2) PAGES.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Heaster, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 8, 1981; last publication January 8, 1981; and that no more than six days intervened between publications.

Gladys M. Heaster

Sworn to before me this 9th day of January, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NO. 2

NO. 3

NO. 4

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 19th day of January, 1981 at 6:00 o'clock P.M. of said day for the purpose of considering the recommendations of the Planning Board to rezone from their present zoning district classifications of CM-General Commercial District to RC-Restricted Business District the following properties:

The west side of Union Road beginning south of the existing gas station at 3535 Genesee Street on the southwest corner of Union Road at Genesee Street going south on Union Road to the existing R-Residential District located at 4074 Union Road; and as shown on the attached map of the area and being more particularly described as follows:

Tax Account No., 24-600; **Owner**, Edward Krysztof & wife; **Address**, Union Road

Tax Account No., 24-602; **Owner**, Dick O'Connor; **Address**, 4118 Union Road

Tax Account No., 24-603; **Owner**, Camille A. Colvin; **Address**, 4114 Union Road

Tax Account No., 24-161; **Owner**, Carlton Fath & wife; **Address**, 4110 Union Road

Tax Account No., 24-160; **Owner**, Wanda T. Fath; **Address**, 4106 Union Road

Tax Account No., 24-159; **Owner**, Peter J. Privitera & wife; **Address**, 4104 Union Road

Tax Account No., 24-158; **Owner**, Peter J. Privitera & wife; **Address**, 4100 Union Road

Tax Account No., 24-157; **Owner**, Ronald A. Bress & wife; **Address**, 4094 Union Road

Tax Account No., 24-139; **Owner**, 4118 Union Road Corp.; **Address**, 4084 Union Road

Tax Account No., 24-137; **Owner**, Hattie Lederhouse; **Address**, 4080 Union Road

Tax Account No., 24-135; **Owner**, Francis R. Santillo & wife; **Address**, 4074 Union Road

and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed recommendations.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: Jan. 8

NO. 2

NO. 3

NO. 4

DONALD
BLVD.
DR.
KOKOMO
PL.
GENESEE
FLORAL
ST.
ST. MARY'S ST.
COLDE
UNION
ROAD
EVERGREEN
CLOVER PL.
AMURRA CT.
COVER
23-312
23-316
23-317
23-318
23-319
23-320
23-321
.91 AC.
.95 AC.
.99 AC.
2-479
2-480
2-481
2-482
2-483
2-484
3-631
3-626
3-627
10.77 AC.
5.9 AC.
L7554/589
L7044/59
963
962
1179
1200

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 43 — Building Permits.
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 44 — New York State Department of Transportation: Designation of Restricted Highway - Portions of Harlem Road.
Received and Filed.

Item No. 45 — New York State Department of Transportation; Notice of Order regarding stop sign control on various streets.

Copies of this correspondence were sent to: Captain Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 46 — New York State Department of Transportation: Correspondence regarding permit for Fire Pre-emption of signal #415 - Walden Avenue at Pine Ridge Road.

A copy of this correspondence was sent to James J. Kirisits, Town Attorney.
Received and Filed.

Item No. 47 — Notice of Claim: Travelers Insurance Co. for William Thornton vs. Town of Cheektowaga.

Copies of this notice were sent to: Kenneth J. Meyers, Supervisor; James J. Kirisits, Town Attorney; Theodore DeFedericis, Chief of Police; Alfred Wnek, Highway Superintendent; and E. T. Clauss & Co., Insurance Company.
Received and Filed.

Item No. 48 — Cleveland Hill Union Free School District: Letter regarding school building available for leasing.
Received and Filed.

Item No. 49 — Bee Publications: Letter requesting that the Cheektowaga Bee be designated to publish legal notices for 1981.

Copies of this correspondence were sent to: Kenneth J. Meyers, Supervisor; Karen McAuley, Council Secretary.
Received and Filed.

* * * * * * * * * * * * *

Motion by Councilman Swiatek, seconded by Councilman Wegner to waive the rules to include the following items.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

* * * * * * * * * * * * *

VI. SUSPENSION OF RULES

Item No. 50 Youth Bureau: Increase in Minimum Wage for employee hired under Y.C.C.I.P.

Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, effective January 1, 1981, the Federal minimum wage has been increased to $3.35 per hour, and

WHEREAS, the Federal government has mandated that the participants of the Youth Community Conservation and Improvement Project (YCCIP), a federally-funded youth employment program, are to be paid the prevailing minimum wage,

BE IT RESOLVED, the following people receive a rate of $3.35 per hour:

Paul Babiarz	Donald Monroe
Robert Dmochowski	David Owens
Daryll Dunkowski	David Paciorkowski
Kenneth Dybalski	Susan Refermat
Timothy Frey	Joseph Ruhlman
Jerry Majchrowicz	George Smierciak
Dean Block	Robert Wesolowski

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 51 Authorization for Kenneth J. Kopacz to attend conference.

Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Association of New York State Youth Bureaus is holding its next Board of Director's meeting in Albany, New York, January 12th, thru January 14th, 1981,

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau be authorized to attend said meeting, and BE IT

FURTHER RESOLVED that Kenneth J. Kopacz be reimbursed for his necessary and reasonable travel expenses in connection with said trip not to exceed $225.00.

Item No. 51 Cont'd.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 52 Amend resolution of January 5, 1981 regarding hiring of seasonal and part-time employees in Facilities Department.

Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, a resolution was adopted at a Town Board Meeting held on January 5, 1981 hiring Ronald F. Mietus, Depew, New York as a seasonal laborer at $3.10 per hour in the Facilities Department, and

WHEREAS, said appointment was made in error, NOW, THEREFORE, BE IT

RESOLVED that said resolution be amended to read as follows:

"Ron Mietus, , Depew, New York, be hired as a Seasonal Maintenance Mechanic at $5.00 per hour, effective January 6, 1981.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 53 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 2

CHEEKTOWAGA, NEW YORK
January 19, 1981

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of January, 1981 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Siwatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Mary Holtz, Deputy Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer, T. DeFedericis, Chief of Police; Alfred Wnek, Highway Superintendent; Julia Reinstein, Town Historian; Dr. Louis Vendetti, Town Health Officer; Ron Zoeller, Working Foreman in the Sanitation Department; Kenneth Kopacz, Executive Director of the Youth Bureau; Sal LaGreca, Assistant Manpower Program Director I; Ron Marten, Building and Plumbing Inspector; Andrew Schwenk, Sole Assessor; Pat Wojcik, Senior Citizens Program Coordinator; Mike Miecnikowski; Recreation Director; George Burst, Working Foreman in the Central Garage.

I. BIDS

Item No. 2 Work Uniforms for 1981
Referred to Chester Bryan, Town Engineer.

Item No. 3 Moving of election machines to and from polling places
Referred to Chester Bryan, Town Engineer.

II. PUBLIC HEARINGS

Item No. 4 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendments being as follows:

ARTICLE X

Parking, Standing, Stopping

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking:

LEMANS DRIVE	South side	from the east curbline of SEBRING DRIVE to the west curbline of BENZ DRIVE

* *

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

III. RESOLUTIONS

Item No. 5 Decision on Rezoning at 500 Dick Road
This item was withdrawn until the next meeting on February 2, 1981.

Item No. 6 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 5th day of January, 1981 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
DUBONNET DRIVE	North-South	BORY DRIVE	Eastbound	S.W. Corner
DUBONNET DRIVE	North-South	DAVIDSON DRIVE	Eastbound	S.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

A. No parking this side or one-side parking

SEBRING DRIVE	East side & North side	from the south curbline of LEMANS DRIVE to the east property line of No. 57 SEBRING DRIVE, a point 420 feet
GEORGE URBAN BOULEVARD	North side	from the east curbline of HARLEM ROAD to the west curbline of WEST GRAND BOULEVARD

Section 102 is amended by adding thereto the following:

A. Parking signs: restricted and time limit.

(1) No parking school days 8:00 a.m. to 4:00 p.m.

ROSSLER AVENUE	West side	from the north curbline of DINGENS STREET to a point 440 feet northerly thereof

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under

Item No. 6 cont'd

Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of this amendment which is subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

This amendment shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the villages of Depew and Sloan.

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

TATE OF NEW YORK
OUNTY OF ERIE
OWN OF CHEEKTOWAGA } ss.

Gladys M. Fechter, of the town Cheektowaga, in said County of Erie, being ily sworn, deposes and says that he (she) is Clerk of the Cheek-waga Times, a public newspaper published eekly in said town; that the notice, of which e annexed printed slip, taken from said news-aper is a copy, was inserted and published in id paper once a week for 1 weeks: rst publication January 22, 1981; st publication January 22, 1981; id that no more than six days intervened be-veen publications.

Gladys M. Fechter

worn to before me this 23rd

ay of January, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 19th day of January, 1981 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 5th day of January, 1981 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street, DUBONNET DRIVE; **Direction,** North-south; **Entrance Street,** BORY DRIVE; **Traffic stops,** Eastbound; **Sign Location,** S.W. Corner

Street, DUBONNET DRIVE; **Direction,** North-south; **Entrance Street,** DAVIDSON DRIVE; **Traffic Stops,** Eastbound; **Sign Location,** S.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

A. No parking this side or one-side parking

SEBRING DRIVE, East side & North side, from the south curbline of LEMANS DRIVE to the east property line of No. 57 SEBRING DRIVE, a point 420 feet

GEORGE URBAN BOULEVARD, North side, from the east curbline of HARLEM ROAD to the west curbline of WEST GRAND BOULEVARD

Section 103 is amended by adding thereto the following:

A. Parking signs: restricted and time limit.

(1) No parking school days 8:00 a.m. to 4:00 p.m.

ROSSLER AVENUE, West side, from the north curbline of DINGENS STREET to a point 440 feet northerly thereof

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of this amendment which is subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

This amendment shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the villages of Depew and Sloan.

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in The CHEEKTOWAGA TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Burst	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on January 19, 1981, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 6, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 19th day of January, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: January 22, 1981

Item No. 7 Motion by Councilman Wegner, seconded by Supervisor Meyers

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967 be held on the 2nd day of February, 1981 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES, on the 22nd day of January, 1981; said amendment being set forth in the Notice of Hearing.

* * * * * * * * * * * * * * * * * * * *

N O T I C E O F H E A R I N G

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 2nd day of February, 1981 at 7:00 P.M., Eastern Standard Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by deleting therefrom the following:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
ST. BONIFACE RD.-N.	East-West	McNAUGHTON AVE.	Southbound	N.W. Corner

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
DICK ROAD	North-South	AMTRAK ROAD	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

D. No standing here to corner.

ROSSLER AVENUE

(1) West side: one hundred (100) feet north of Dingens Street.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981

* * * * * * * * * * * * * * * * * * * *

Item No. 7 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner, and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 22, 1981; last publication January 22, 1981; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 23rd

day of January, 19 81

Naidine C Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NO. 3

NO. 4

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 2nd day of February, 1981 at 7:00 P.M. Eastern Standard Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by deleting therefrom the following:

Street, ST. BONIFACE RD.-N.; **Direction**, East-west; **Entrance Street**, MCNAUGHTON AVE.; **Traffic Stops**, Southbound; **Sign Location**, N.W. Corner

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street, DICK ROAD; **Direction**, North-south; **Entrance Street**, AMTRAK ROAD; **Traffic Stops**, Westbound; **Sign Location**, N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

D. No standing here to corner.

ROSSLER AVENUE

(1) West side: one hundred (100) feet north of Dingens Street.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981
PUBLISHED: January 22, 1981

Item No. 8 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended or repealed;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 2nd day of February, 1981 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than 10 days prior to the date of said hearing.

* * * * * * * * * * * * * * * * * * * *

NOTICE OF HEARING

ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of January, 1981, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 2nd day of February, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed by the enactment of a new Section 2-30, entitled Senior Citizen Housing, under ARTICLE II - RESIDENCE DISTRICT REGULATIONS, which enactment provides for the housing of senior citizens as a permitted use, as well as makes provision for accessory uses, area requirements, density requirements and parking requirements.

A copy of the proposed Senior Citizen Housing amendments to the Zoning Ordinance of the Town of Cheektowaga, New York is on file in the Town Clerk's Office, where the same may be examined during regular business hours.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Heckle, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 22, 1981; last publication January 22, 1981; and that no more than six days intervened between publications.

Gladys M. Heckle

Sworn to before me this 23rd day of January, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

No. 3

No. 4

NOTICE OF HEARING ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of January, 1981, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 2nd day of February, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed by the enactment of a new Section 2-30, entitled Senior Citizen Housing, under ARTICLE II - RESIDENCE DISTRICT REGULATIONS, which enactment provides for the housing of senior citizens as a permitted use, as well as makes provision for accessory uses, area requirements, density requirements and parking requirements.

A copy of the proposed Senior Citizen Housing amendments to the Zoning Ordinance of the Town of Cheektowaga, New York is on file in the Town Clerk's Office, where the same may be examined during regular business hours.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981
PUBLISHED: January 22, 1981

Item No. 9 Declaration of non-significance for rezoning of properties located generally on the north and south side of William Street

This item was withdrawn.

Item No. 10 Declaration of non-significance for rezoning of properties located generally on the west side of Union Road

This item was withdrawn.

Item No. 11 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Joseph S. Nicosia, has made application and requested the rezoning of property located at 1030 Cleveland Drive, from C-Retail Business District (non-conforming use) to CM-General Commercial District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held regarding said request under the provisions of the Zoning Ordinance on February 2, 1981 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE } ss.
TOWN OF CHEEKTOWAGA

Gladys M. Dechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 22 1981; last publication January 22 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 23rd

day of January, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 2nd day of February 1981, at 6:30 o'clock P.M. Eastern Standard Time of said day for the purpose of considering the application of Joseph S. Nicosia to Rezone from C-Retail (Non-Conforming Use) District to CM-General Commercial District on property located at 1030 Cleveland Dr. and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: January 22, 1981

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deshler, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 29, 1981; last publication January 29, 1981; and that no more than six days intervened between publications.

Gladys M. Deshler

Sworn to before me this 30th day of January, 1981

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

LEGAL NOTICE

The following description refers to the Notice of Hearing to be held on February 2, 1981 at 6:30 p.m. for a rezoning on property located at 1030 Cleveland Drive which was published on Thursday, January 22, 1981.

DESCRIPTION

1030 Cleveland Drive

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 19, Township 11, Range 7, of the Holland Land Company's Survey bounded and described as follows:

COMMENCING at the point of intersection of the northerly line of Cleveland Drive (66 feet wide) with the westerly line of Beach Road (66 feet wide); proceeding thence northerly along the said westerly line of Beach Road 138.60 feet to a point; thence westerly at an interior angle of 86 degrees, 38 minutes, with Beach Road's westerly boundary 125 feet to a point; thence southerly parallel with the west line of lands conveyed to Robert H. Binner and wife by deed recorded in the Erie County Clerk's Office on April 24, 1923, in Liber 1667 of Deeds at Page 60, a distance of 167.77 feet to a point in the said northerly line of Cleveland Drive; thence easterly along the said northerly line of Cleveland Drive, 119.28 feet to the said westerly line of Beach Road and the point or place of beginning.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: January 29, 1981

Item No. 12 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Frederick Strasser has made application and requested the rezoning of property located at 1317 Harlem Road, from R-Residential to RC-Restricted Business District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 2, 1981 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hecksts, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 22, 1981; last publication January 22, 1981; and that no more than six days intervened between publications.

Gladys M. Hecksts

Sworn to before me this 23rd

day of January, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 2nd day of February, 1981, at 6:30 o'clock P.M. Eastern Standard Time of said day for the purpose of considering the application of Frederick Strasser to Rezone from R-Residential District to RC-Restricted Business District on property located at 1317 Harlem Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-90 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: January 22, 1981

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dedrick, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication January 29 1981; last publication January 29 1981; and that no more than six days intervened between publications.

Gladys M. Dedrick

Sworn to before me this 30th

day of January, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 84

LEGAL NOTICE

The following description refers to the Notice of Hearing to be held on February 2, 1981 at 6:30 p.m. for a rezoning on property located at 1317 Harlem Road which was published on Thursday, January 22, 1981.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 72, Township 10, Range 7 of the Buffalo Creek Reservation as shown upon a certain amended map filed in Erie County Clerk's Office November 20, 1907 under Cover Number 799, and further distinguished as being Subdivision Lots Numbers 9, 10, 11, 12 and 13 in Block No. 4 being together 155 ft. front and rear by 114 ft. in depth, situate on the east side of Harlem Avenue, beginning 114 ft. south of Parker Street.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: January 29, 1981

No. 3

No. 4

Item No. 13 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga and the Villages of Sloan, Depew and Williamsville are eligible to receive an estimated $1,220,000 in Community Development Block Grant funds for fiscal year 1981-82, and

WHEREAS, public hearings regarding use of such funds were held on November 24, November 25, December 1, 1981 and January 19, 1981 where the concensus of opinions expressed was that said Community Development Block Grant funds should be utilized for basic community needs, those being continued neighborhood and housing improvements and flood relief projects in the Town's and Villages' designated Neighborhood Improvement Areas, and

WHEREAS, such utilization of Community Development funds, as proposed in the 1981-82 Community Development Block Grant application, would serve to assist low and moderate income persons and families within the Town and Villages by alleviating future flooding and consequent deterioration of existing housing, as well as maintaining and improving neighborhoods and existing housing, NOW, THEREFORE, BE IT

RESOLVED that the proposed 1981-82 Community Development Block Grant application, which includes the following projects, be and hereby is adopted and authorization is hereby given to the Town Supervisor to submit said application to the U.S. Department of Housing and Urban Development.

Cedargrove Heights	$ 343,950.00
Walden Avenue	342,270.00
Chapel Avenue	38,140.00
Beach Road	125,250.00
Administration	43,500.00
Planning	58,500.00
Village of Sloan	57,512.00
Village of Depew...	
Terrace Boulevard Target Area	42,740.00
Arlington Place Target Area	90,230.00
Contingency	77,908.00
Total	$1,220,000.00

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner, and Rogowski
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, this Town Board desires to make road improvements in order to facilitate traffic improvements along Rossler Avenue, and

WEHREAS, plans and specifications are nearing completion for the improvement of Rossler Avenue south of Dingens Street, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney and the Town Accountant are hereby directed to undertake the necessary procedures for the bonding to underwrite the costs of these Rossler Avenue road improvements.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, there is need to conduct test borings along Beach Road in order to complete plans for the storm sewer construction, which plans are being prepared by the engineering firm of McFarland-Johnson Engineers, Inc., and

Item No. 15 cont'd

WHEREAS, said consulting engineers advised the Town Engineer, in their letter of January 6, 1981, that such borings are needed with a preliminary cost estimate of $1500, NOW, THEREFORE, BE IT

RESOLVED that authorization is hereby given to proceed with said test borings along Beach Road, and BE IT FURTHER

RESOLVED that costs for said work are to be chargeable to the Community Development Block Grant Funds for the Beach Road area.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the civic bodies and service organizations of our community and the departments of the local government recognize the great service rendered to this community by the Cheektowaga Jaycees, and

WHEREAS, the United States Jaycees and its affiliated state and local organizations have set aside the week of January 18-24, 1981 to observe the founding of the Haycees sixty-one years ago, and

WHEREAS, this organization of young men has contributed materially to the betterment of this community through their participation and involvement in local programs for many years, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor hereby proclaims the week of January 18-24, 1981, as JAYCEE WEEK and urges all citizens of our community to give full regard to the past services of the Cheektowaga Jaycees.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the County of Erie has planned to reconstruct Losson Road in the Town of Cheektowaga and as part of said project the water lines within the said roadway will be relocated, and

WHEREAS, the Town of Cheektowaga has been informed that the cost of relocating said water lines be borne by the Town, and

WHEREAS, said Losson Road is a County highway and the road reconstruction project is the responsibility of the County of Erie which will necessitate the relocating of said water lines, and

WHEREAS, it would appear to be equitable and fair that the cost of relocating said lines should not be borne by the residents located within the affected area since said project is a County project and the road is being used by many motorists who reside outside of the Town of Cheektowaga and the cost of relocating said lines would create an unjust financial burden upon the number of residents in the area, and

WHEREAS, the need for such legislation is imminent and due to the fact that the County is planning to commence the widening of said road in the very near future and time is of the essence, NOW, THEREFORE, BE IT

RESOLVED that the New York State Legislature be and hereby is memorialized and requested to enact the necessary laws directing the County of Erie and/or the Erie County Water Authority to pay for the cost of the water line relocation, and BE IT FURTHER

No. 3 No. 4

Item No. 17 cont'd

RESOLVED that a certified copy of this resolution be forwarded to Senator Dale M. Volker, Assemblyman Dennis T. Gorski and the Clerk of the New York State Legislature.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board entered into a contract dated May 7, 1979 with the consulting firm of Nussbaumer & Clarke, Inc. for the design and for the provision of general services during construction of the Walden Avenue Storm Sewer Project, and

WHEREAS, the Agreement was predicated on construction work to be completed by February, 1980 as one complete project, and

WHEREAS, said Walden Avenue Storm Sewer Project was divided into two (2) contracts for phase construction, and

WHEREAS, it is necessary to revise said May 7, 1979 Agreement due to the additional work of phasing storm sewer construction and due to increases in employee wage rates, NOW, THEREFORE, BE IT

RESOLVED that Addendum #1 to the May 7, 1979 Agreement, as submitted by Nussbaumer & Clarke, Inc. with their letter of January 15, 1981 to the Town Engineer, be and hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor is directed to sign said Agreement Addendum #1 on behalf of this Town Board.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, General Code Publishers, pursuant to contract, has codified the ordinances, codes, rules and regulations of the Town of Cheektowaga; and has periodically supplemented such Code of the Town of Cheektowaga, as well as assisted the Town in many other related areas regarding legislation, such as providing samples of legislation, advance editing, telephone and inperson consultations, and

WHEREAS, the aforesaid contract has expired, and if the aforementioned services are to be continued, a new contract must be executed by and between General Code Publishers Corp. and the Town of Cheektowaga, New York; and

WHEREAS, a proposed contract has been submitted to this Town Board for approval concerning the professional services to be rendered by General Code Publishers Corp. to the Town, a copy of which is annexed hereto,

NOW, THEREFORE, BE IT RESOLVED, that the said Professional Services Contract between General Code Publishers Corp. and the Town of Cheektowaga, New York, be and the same hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said Contract.

* See next seven (7) pages for contract

NO. 3 NO. 4

PROFESSIONAL SERVICES CONTRACT

between

GENERAL CODE PUBLISHERS CORP.

and

TOWN OF CHEEKTOWAGA, NEW YORK

RECEIVED
JAN 13 1981
Richard M. Moleski, Town Clerk

Section 1. General provisons.

This contract provides for the performance and delivery by General Code Publishers Corp., in return for the consideration stated herein, of the specialized professional services required to review, maintain and update the legislation and code of the Town of Cheektowaga , having been entered into between the Town of Cheektowaga , in the County of Erie, State of New York , hereinafter termed "Municipality," and General Code Publishers Corp., hereinafter termed "Publisher," whose principal office is located at Spencerport, in the County of Monroe, State of New York, as per resolution authorizing the contract passed by the governing body of the Municipality. The services provided herein encompass, but are not limited to, the editorial capability to consult with and advise the various departments of the Municipality, the Municipal Counsel and the governing body and to review, prepare, analyze, stylize, systematize, edit, copyread, compose, proofread, publish and distribute according to a system the necessary materials to supplement the code of the Municipality, as more specifically set forth hereinafter.

Section 2. Definitions.

Certain words and phrases, as used herein, being of a specialized nature to the work involved, shall have the following meanings:

CODE - The code of the Municipality, as compiled, updated, revised, amended or supplemented, containing the systematic compilation of the legislation and any appendix, index or other reference materials, as accumulated, organized, systematized, numbered, composed, printed, bound and thus published.

LEGISLATION - The general and permanent administrative and regulatory ordinances, local laws, bylaws, resolutions, rules, regulations or charter (where applicable) adopted by the Municipality's governing body, excluding the texts of standard regulations adopted by reference (e.g., a model fire code) or restatements of statutes or laws adopted by another governmental unit.

APPENDIX - That part of the code, and the material contained therein, which includes and consists of rules, nonregulatory legislation, resolutions, etc., established other than as legislation as defined above, or other pertinent material, published as a part of the code or a supplement at the request of the Municipality.

SUPPLEMENTATION - The editing, composing and publishing of amendments, changes, deletions or additions to the code necessitated by legislation of or affecting the Municipality, or resulting from changes in appendix, index or other reference material, in such a manner that the system and content of the code are maintained and kept current by the inclusion of said legislation and appendix, index or reference material in the code.

PAGE - Any one (1) side of a leaf, the size of the single leaves in the code, in or to be included in the code, or in a supplement, upon which there is any printed matter as published by the Publisher.

Section 3. System and style.

The code contains the legislation in a specific system and style as used when the legislation was codified and published. In addition to the legislation, the code contains material derived from the legislation but prepared by the Publisher, such as a table of contents, chapter schemes, footnotes, cross references, general references, histories and an index, and may also contain certain other appendix and/or reference material. The contents of the code, both textual and physical, are organized and numbered in such specific system and style to enhance the usability of the code and, through periodic and regular supplementation, to maintain the code as a continually current statement of the legislation of the Municipality. In the performance of services under this contract, the Publisher shall, when preparing supplementation, maintain the continuity of system, style, organization and numbering used throughout the code.

Section 4. Methods and procedures.

A. The Municipality shall provide the Publisher with copies of the minutes and proceedings of the governing body's meetings as soon as they are prepared following such meetings, and one (1) copy of every piece of legislation in the form, language and format in which adopted and filed.

B. The Publisher shall examine the minutes and proceedings and legislation upon receipt to determine and extract therefrom the legislation that is to be included in the code via supplementation.

C. The Publisher shall prepare supplementation on a regular schedule, or on a schedule to be determined, containing changes to the code necessitated by the legislation, as well as changes to the table of contents, chapter schemes, footnotes, cross references, general references, histories, supplemental index, appendix and other contents of the code as are necessary. The index shall be revised, incorporating the supplemental index, whenever deemed necessary by the Publisher in conjunction with the supplementation of the code.

D. In preparing supplementation, the Publisher's editors shall read and review the legislation, comparing it with the entire code, and note any conflicts, inconsistencies, errors and/or differences with the content, system and style of the code which they may find. After noting any of the above, the editors may contact the Municipality's Counsel to resolve any problems before proceeding.

E. The Publisher's editorial staff shall read and review, as described above, the legislation to be contained in the supplementation being prepared, shall organize and number the legislation to conform to the code, shall copyread the legislation to systematize and stylize it as required in Section 3 hereinabove, and during and following typesetting shall read the supplementation pages being prepared to ensure that the pages as finally published reflect accurately the legislation as enacted by the governing body and maintain continuity and consistency within the code. The copy as typeset and organized into pages, and the pages as numbered, shall be proofread to ensure that the editor's instructions are followed. Thereafter, the editorial staff shall read the completed supplementation pages, place a copy thereof in the Publisher's master copy of the code, and check the consistency and continuity thereof before delivering the copies of the supplementation pages to the Municipality. The completed supplementation graphically shall correspond to the printing style and format used in the code and recent supplemental pages.

Section 5. Specialized services.

In conjunction with the supplementation of the code, the Publisher shall make available to the Municipality the following services:

A. Upon request from the Municipality, the Publisher will assist in the analysis and development of code amendments and additions, consult with and/or assist the Municipality's Counsel and/or other departments of the Municipality in the preparation of legislation and comparison of it with the code, supply sample legislation and report to the Municipality on conflicts, inconsistencies, organization, numbering, system, style or format of the proposed legislation, pre-edit major new legislation prior to adoption, and generally provide services to aid the orderly development and maintenance of a comprehensive and organized body of law.

B. The Publisher will compare copies of the code in the possession of the Municipality with the Publisher's master copy and make changes or corrections as necessary to the Municipality's copy to ensure that it matches the master and that supplemental pages have been properly inserted. One (1) copy of the code held by the Clerk and Municipal Counsel each will be updated without charge; other copies will be updated at a charge to be quoted by the Publisher at the time.

C. The Publisher will prepare pamphlets or reprints of individual chapters or parts of the code, which are duplicates of those parts of the code, so that individuals using the pamphlets will have the text page-for-page as an individual using the code. Prices for pamphlets prepared either in conjunction with a supplement or otherwise will be submitted to the Municipality by the Publisher upon request.

D. Additional copies of the code will be made available to the Municipality by reprinting the entire code upon request of the Municipality. Prices for such will be submitted to the Municipality by the Publisher upon request.

E. Maps, charts, pocket parts, etc., which exceed the capability of the Publisher's printing equipment may be included in the code at the request of the Municipality at an additional charge based upon the cost to the Publisher for preparing such.

F. Upon the request of the Municipality, the Publisher will undertake a complete and thorough review of the entire code, or any part thereof, working with the Municipality's Counsel, in such a manner as would be required by the Municipality for a complete recodification of the legislation. Before doing so, the Publisher will meet with the Municipality to discuss the review to be made, establish the scope and depth of the service and submit a proposal for fulfilling the needs of the Municipality, along with a price for the work if extra charges are deemed necessary by the Publisher.

G. Variations from the Publisher's standard methods and procedures, including systemization, stylization and/or production schedules, desired by the Municipality must be requested in writing specifying the exact nature of the desired variations. Such variations may be adapted by the Publisher, with additional charges for such variations, where deemed applicable by the Publisher and approved by the Municipality, to be paid by the Municipality.

Section 6. Municipal Counsel.

In conjunction with the services rendered by the Publisher and the work of the Municipality and Publisher required under this contract, any and all questions requiring legal advice or opinions, analysis of legislation for legal sufficiency, interpretation of cases or statutes, etc., shall be directed by the Municipality and the Publisher to the Municipality's Counsel. In this regard, any and all information in the possession of the Publisher, including opinions, advice and recommendations reflecting the knowledge and experience of the Publisher shall be made available to the Municipal Counsel upon request.

NO. 3
NO. 4

Section 7. Responsibility of Publisher.

The Publisher shall be responsible for the correctness and accuracy of its work, based upon the material and information supplied by the Municipality, as reflected in the published code or supplementation delivered to the Municipality. Regardless of the Municipality's acceptance of published materials when delivered, the Publisher shall correct errors, found either by the Municipality or the Publisher, when the succeeding supplementation is prepared. The Publisher's liability for all services shall extend only to the correcting of errors in the code or supplementation, not to any acts or occurrences as a result of such errors, and only so long as this contract is in effect.

Section 8. Responsibility of Municipality.

The Municipality shall be responsible for the correctness and accuracy of the information it supplies to the Publisher, for providing the Publisher with decisions and answers to questions and problems raised by the Publisher, for the inclusion of sufficient funds in the municipal budget to pay the Publisher for services, and for the prompt payment of bills as provided herein. In order for the Publisher to adhere to production schedules and meet the delivery deadlines, it is necessary for the Municipality to communicate with and provide information to the Publisher without delay; in this regard time is of the essence, and it is the responsibility of the Municipality to complete its work therein so as to avoid delay of the Publisher's work.

Section 9. Number of copies of supplementation pages.

The Publisher will publish sixty-five (65) copies of the supplementation pages for the Municipality, each of the sets to be labeled with a serial number corresponding to the serial numbers of the codes and name, address, title and/or department of the individual holder thereof, each with an instruction page describing how the pages are to be inserted in the copies of the code, and ship or mail the sets to the Municipality or to the holders of individual code volumes, as desired by the Municipality. The Publisher will also supply copies of supplementation pages to any libraries or state agencies to whom the Publisher has supplied copies of the code without additional charge to the Municipality.

Section 10. Term.

This contract shall cover the legislation adopted by the Municipality since that most recently included in the code or in supplementation for the code and including legislation adopted through December 31, 1981. This contract may be extended on an annual basis for the years following the above-stated term upon the mutual agreement of the Municipality and the Publisher, it being the purpose herein to maintain a continuity of service to maintain the code. This contract shall not be terminated by either party except upon notice of at least ninety (90) days preceding the beginning of a calendar year.

Section 11. Costs of services.

A. Special services set forth in Section 5 shall be performed as set forth therein at the prices quoted by the Publisher at the time.

B. Matter to be published to be included in the code, in reprints, in pamphlets or as a part of supplementation consisting of drawings, pictures, charts, maps, etc., requiring other than straight-line cold-type composition, shall be charged at rates based upon the costs incurred by the Publisher in preparing or obtaining such matter.

C. The Publisher will deliver the supplementation and other services FOB the Publisher's offices via USPS, UPS, motor freight, air freight or whichever method offers the most efficient delivery at the time. Delivery, handling, packaging, insurance and/or shipping charges will be prepaid by the Publisher and added to the invoice/voucher for services to be paid by the Municipality.

D. Costs to the Municipality for supplementation services provided by the Publisher for legislation adopted during any one (1) calendar year and other appendix, index and reference materials included during any one (1) calendar year shall be at the standard rate being charged by the Publisher at the time such services are rendered, except as follows:

1. For pages in excess of fifty (50) but less than seventy-six (76), there shall be a discount of five percent (5%) from the Publisher's standard rate.

2. For pages in excess of seventy-five (75) but less than one hundred one (101), there shall be a discount of eight percent (8%) from the Publisher's standard rate.

3. For pages in excess of one hundred (100) but less than one hundred twenty-six (126), there shall be a discount of ten percent (10%) from the Publisher's standard rate.

4. For pages in excess of one hundred twenty-five (125), there shall be a discount of twelve percent (12%) from the Publisher's standard rate.

Section 12. Payment procedures.

The costs shall be paid by the Municipality upon delivery of the services or supplementation pages and submission of an invoice/voucher by the Publisher. All payments shall be made upon receipt of the invoice/voucher without discount nor the withholding of any portion of the amount for any reason. Interest not to exceed that allowed by law may be charged by the Publisher and shall be paid by the Municipality upon any amounts not paid by the Municipality and thirty (30) days or more past due.

THE PUBLISHER HEREBY CERTIFIES that there is no intermediary involved between the parties and that there are no state or federal taxes included in any of the above charges.

THIS CONTRACT COMPRISES the entire contract between the Publisher and the Municipality regarding the Publisher's services for the effective period of this contract.

IN WITNESS WHEREOF, both the Publisher and the authorized representative of the Municipality have hereunto set their official signatures, at which time this contract shall take full force and effect.

TOWN OF CHEEKTOWAGA, NEW YORK

WITNESS

L.S. Richard M. Molecki

L.S. Kenneth J. Meyer

TITLE Supervisor

DATE 1-19-81

GENERAL CODE PUBLISHERS CORP.

WITNESS

L.S. Geraldine Armstrong

L.S. A. Thomas Kelly II

TITLE President

DATE 1-12-81

NO. 3

NO. 4

Item No. 19 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that the following named highway, as more particularly described in the letter of the Highway Superintendent attached hereto and made a part hereof, be accepted as set forth in the letter:

DUBONNET DRIVE

(that portion of
Dubonnet Drive
located in Dubonnet
Heights Subdivision)

and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to record the deed in connection with the above acceptance in the Erie County Clerk's Office.

* See next eleven pages

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: ~~8863-4775~~
686 3450
ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

January 13, 1981

HONORABLE KENNETH J. MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA, NEW YORK 14227

Gentlemen: Re: Acceptance of that part of Dubonnet in the Dubonnet Hts. Subdivision

Please be advised that proper and routine inspections have been made by my engineer, T. Skowron, and myself; I find that part of DuBonnet Dr., as herein described, does conform to specifications, as set forth by the Town of Cheektowaga; is recommended for acceptance into our system of highways.

DUBONNET DR. - a 60' wide R.O.W. as shown on M/C 2423; beginning at a point ± 1423.6' north of the ℄ of Davidson Dr., (M/C 2260), then continuing northerly for a distance of 281.24' to a point of intersection with the south line of M/C 2270. Fronting s/l 1-8 inclusive.

The deed is being forwarded to the Town Attorney for handling. A Maintenance Bond, which is for an amount commensurate with the provisions of our P.I.P. ordinance, is also being forwarded to the Town Attorney. A Performance Bond for street lighting is also being provided. After handling by the Town Attorney's office, these documents become part of this acceptance.

I request that no Certificate of Occupancy be issued by the Building Inspector, until the house-builder guarantees the planting of a tree in front of each house he builds. Tree specs are available at the Highway department.

I trust this meets with your Honorable approval, I remain,

Respectfully yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Town Clerk
Town Atty.
Bldg. Insp.
Town Eng.
T. Skowron
file

RECEIVED
JAN 14 1981
Richard M. Moleski, Town Clerk

"When better roads are built — Cheektowaga will build them"

No. 3

No. 4

N. CLERK

Warranty Deed with Lien Covenant
Laws of 1917, Chap. 681, Laws of 1954 880½
David F. Williamson Co., Inc., Publishers
Ellicott Sq. Bldg., Buffalo, N.Y. 14203
Rochester, N.Y.

This Indenture,

Made the 22nd day of November Nineteen Hundred and Eighty

Between MARK OGIONY, 23 Woodrow, Cheektowaga, New York,

party of the first part, and

TOWN OF CHEEKTOWAGA, a municipal corporation with offices at Broadway and Union, Cheektowaga, New York,

party of the second part.

Witnesseth, that the said party of the first part, in consideration of ONE AND MORE---------- Dollars, ($1.00 & MORE) lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever,

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Nos. 44 and 45, Township 10, Range 7 of the Buffalo Creek Reservation described as follows: that part of Dubonnet Drive as shown under Map Cover 2423 filed in the Erie County Clerk's Office on April 9, 1980.

RECEIVED
JAN 14 1981
Richard M. Moleski, Town Clerk

No. 3

No. 4

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said party of the second part, its successors and assigns forever.

AND the said party of the first part does covenant with said party of the second part as follows:

FIRST.—That the party of the second part shall quietly enjoy the said premises.

SECOND.—That the said party of the first part will forever WARRANT the title to said premises.

THIRD.—Subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF

Mark Ogiony [L.S.]

[L.S.]

STATE OF NEW YORK } ss.
COUNTY OF Erie

On this 22nd day of November Nineteen Hundred and Eighty

before me, the subscriber, personally appeared

Mark Ogiony

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same.

Richard Niemme
Notary Public
Erie Co
Exp 3-30-81

MARK OGIONY

TO

TOWN OF CHEEKTOWAGA

DATED November 22 1980

Fidelity and Deposit Company

HOME OFFICE **OF MARYLAND** BALTIMORE 21203

MAINTENANCE BOND

#942 96 64

KNOW ALL MEN BY THESE PRESENTS:

That we, JOSEPH OGIONY SONS, INC. 2909 Genesee Street; Cheektowaga, NY 14225 As Principal, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a Maryland corporation, Baltimore, Maryland, with an office for the State of New York at ~~1830~~ Liberty Bank Building, Buffalo, New York 14202, as Surety, are held and firmly bound unto Town of Cheektowaga, New York in the sum of Two thousand Seven hundred Thirty-two and 50/100ths---------- ($2,732.50) ----------DOLLARS, lawful money of the United States of America, to be paid to the said Town of Cheektowaga,New York its successors or assigns, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SEALED WITH OUR SEALS AND DATED this 6th day of January 19 81.

WHEREAS, the said Principal obligors have recently completed the construction of Dubonnet Drive Extension - completion of pavement, curbing and receivers between Davidson Drive and Madeira Drive approximately 280 + feet in length
Pursuant to a Public Improvement Permit No. 004 issued the 15th day of December, 19 80.

WHEREAS, the said obligors have provided the Contractor shall, without expense to the Town of Cheektowaga, New York keep and maintain such construction work referred to in good condition and repair for two (2) years from the completion of the same.

NOW, THEREFORE, the condition of this obligation is such that if the said construction work shall be durable, and if the said principal obligors shall and will keep and maintain the said construction work with its appurtenances, in good condition, order and repair at all times for the period of two (2) years from the completion of the same, and leave the same in good condition, order and repair at the end of said period, without any cost or expense to the Town of Cheektowaga, New York and shall and will in all respects comply with and be bound by the term and provisions of any agreement so far as the same relates to the durability of said construction work and appurtenance and to the repair and maintenance thereof, then this obligation to be void; otherwise of full force and effect.

The term begins on the 19th day of January 19 81, and ends on the 19th day of January 19 83.

JOSEPH OGIONY SONS INC.

BY: [signature]

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

BY: [signature]
Michael B. LeMaster
Attorney-in-fact

STATE OF NEW YORK
COUNTY OF ERIE
CITY OF CHEEKTOWAGA

On the 7 day of JANUARY, in the year 19 81, before me personally came JOHN OGIONY to me known, who, being by me duly sworn, did depose and say that he resides in CHEEKTOWAGA, NEW YORK; that he is the Joseph Ogiony Sons Inc. of the the corporation described in and which executed the foregoing instrument; that he knows the seal of such corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Commissioner of Deeds in and for the City of ....., N. Y.

JOYCE A. LAZEWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

Notary Public Joyce A. Lazewski County, N. Y.

BR(109)26 - 1M, 6-80 210908

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The President, or any one of the Executive Vice-Presidents, or any one of the additional Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto."

STATE OF NEW YORK
COUNTY OF ERIE
CITY OF BUFFALO } ss:

On this 6th day of January 1981, before me personally came Michael B. LeMaster to me known, who, being by me duly sworn, did depose and say, that he resides in Buffalo, N.Y.; that he is an Attorney-in-Fact of the Fidelity and Deposit Company of Maryland, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that he signed his name thereto by like order; and that the liabilities of said Company do not exceed its assets as ascertained in the manner provided in Chapter 28 of the Consolidated Laws of the State of New York; and the said ..... further said that he is acquainted with ..... and knows him to be an Attorney-in-Fact of said Company; that the signature of the said ..... subscribed to the within instrument is in the genuine handwriting of the said ..... and was subscribed thereto by like order of the Board of Directors, and in the presence of him the said.

JoAnne M. Bujnicki
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 82

JoAnne M. Bujnicki
Notary Public

BR (108) 19—2M, 7-80 211227

SEAL

C W Robbins
Assistant Secretary

By C M Pecot
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 25th day of April , A.D. 19 78 , before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

MELINDA T. HAUS NOTARY PUBLIC BALTIMORE CITY, MD.

Melinda T. Haus

Notary Public Commission Expires July 1, 1978

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 6th day of January, 1981

C W Robbins
Assistant Secretary

L1419—Ctf. 206396

NO. 3

NO. 4

L1458a—45M, 7-80 211248

FIDELITY AND DEPOSIT COMPANY
OF MARYLAND

Statement of Financial Condition
AS OF JUNE 30, 1980

ASSETS

*Bonds	$[illegible]
*Stocks	96,556,565.75
Real Estate	3,092,337.71
Cash in Banks and Offices	1,589,323.40
Premiums in Course of Collection (less than 90 days old)	13,946,928.87
Reinsurance and Other Accounts Receivable	7,063,425.67
TOTAL ADMITTED ASSETS	$202,819,417.10

LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Unearned Premiums		$67,466,907.82
Reserve for Claims and Claim Expenses		38,741,212.26
Reserve for Taxes and Expenses		2,036,255.85
Miscellaneous Reserves and other Liabilities		9,257,153.77
TOTAL LIABILITIES		$117,501,529.70
Capital Stock, Paid Up	$5,000,000.00	
Surplus	80,317,887.40	
Surplus as Regards Policyholders		85,317,887.40
TOTAL		$202,819,417.10

Securities carried at $2,734,963.00 in the above statement are deposited as required by law.

*Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of June 30, 1980 market quotations for all bonds and stocks owned, this Company's total admitted assets would be $194,119,247.65 and surplus as regards policyholders $76,617,717.95.

I, WILLIAM R. AMOS, Treasurer of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 30th day of June, 1980, according to the best of my information, knowledge and belief.

William R. Amos
Treasurer

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

Subscribed and sworn to, before me, a Notary Public of the State of Maryland in the City of Baltimore, this 31st day of July, 1980.

Notarial Seal

Stephanie A. Smith
Notary Public

My commission expires July 1, 1982

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

CONTRACT BOND

#942 96 65

KNOW ALL MEN BY THESE PRESENTS:

That JOSEPH OGIONY SONS INC.
2909 Genesee Street; Cheektowaga, NY 14225
(hereinafter called Principal), as Principal, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, with its Home Office in the City of Baltimore, Maryland, and duly authorized and licensed to do business in the State of New York (hereinafter called Surety), as Surety, are held and firmly bound unto Town of Cheektowaga, New York (hereinafter called Owner), in the full and just sum of Eight hundred and no/100ths---------- Dollars ($ 800.00-----), to the payment of which sum, well and truly to be made, the Principal and Surety bind themselves, their and each of their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed, sealed and dated this 19th day of January 19 81

WHEREAS, the Principal has entered into a certain written agreement, dated the 19th day of January 19 81, with the Owner for installation of one (1) street light at Dubonnet Drive; Cheektowaga; Dubonnet Heights; lots 6 & 7 which agreement is or may be attached hereto for reference.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That, if the Principal shall well and truly perform and carry out the covenants, terms and conditions of said agreement, then this obligation to be void; otherwise to remain in full force and effect.

WITNESS: JOSEPH OGIONY SONS INC. (SEAL)

By: [signature] (SEAL)

(SEAL)

(IF INDIVIDUAL OR FIRM)

ATTEST: (SEAL)

(IF CORPORATION)

ATTEST: FIDELITY AND DEPOSIT COMPANY OF MARYLAND
1830 Liberty Bank Building; Buffalo, NY

By [signature]
Michael B. LeMaster
Attorney-in-fact

C329—15M, 1-74 194828

STATE OF NEW YORK
COUNTY OF ERIE
CITY OF CHEEKTOWAGA

On the 7 day of JANUARY, in the year 19 81, before me personally came JOHN OGIONY to me known, who, being by me duly sworn, did depose and say that he resides in CHEEKTOWAGA NEW YORK; that he is the ; of the Joseph Ogiony Sons, Inc. the corporation described in and which executed the foregoing instrument; that he knows the seal of such corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Commissioner of Deeds in and for the City of , N. Y.

JOYCE A. LAZEWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

Notary Public Joyce A. Lazewski County, N. Y.

BR(108)26--1M, 6-80 210908

No. $

ON BEHALF OF

TO

FIDELITY and DEPOSIT
COMPANY OF MARYLAND

CONTRACT BOND

PLEASE READ YOUR BOND

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The President, or any one of the Executive Vice-Presidents, or any one of the additional Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto."

STATE OF NEW YORK, }
COUNTY OF ERIE } ss:
CITY OF BUFFALO }

On this 19th day of January 19 81, before me personally came Michael B. LeMaster to me known, who, being by me duly sworn, did depose and say, that he resides in Buffalo, N.Y.; that he is an Attorney-in-Fact of the Fidelity and Deposit Company of Maryland, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that he signed his name thereto by like order; and that the liabilities of said Company do not exceed its assets as ascertained in the manner provided in Chapter 28 of the Consolidated Laws of the State of New York; and the said ..... further said that he is acquainted with ..... and knows him to be an Attorney-in-Fact of said Company; that the signature of the said ..... subscribed to the within instrument is in the genuine handwriting of the said ..... and was subscribed thereto by like order of the Board of Directors, and in the presence of him the said,

JoAnne M. Bujnicki
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 82

JoAnne M. Bujnicki
Notary Public

BR (108) 19—2M, 7-80 211227

SEAL

C W Robbins
Assistant Secretary

By C M Pecot
Vice-President

STATE OF MARYLAND }
CITY OF BALTIMORE } ss:

On this 25th day of April , A.D. 19 78 , before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

MELINDA T. HAUS NOTARY PUBLIC BALTIMORE CITY MD.

Melinda T Haus

Notary Public Commission Expires July 1, 1978

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 19th day of January, 19 81

Assistant Secretary

L1419—Ctf. 206396

NO. 3

NO. 4

L1458a—45M, 7-80 211248

FIDELITY AND DEPOSIT COMPANY
OF MARYLAND

Statement of Financial Condition
AS OF JUNE 30, 1980

ASSETS

*Bonds	$80,570,835.70
*Stocks	96,556,565.75
Real Estate	3,092,537.71
Cash in Banks and Offices	1,589,323.40
Premiums in Course of Collection (less than 90 days old)	13,946,928.87
Reinsurance and Other Accounts Receivable	7,063,425.67
TOTAL ADMITTED ASSETS	$202,819,417.10

LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Unearned Premiums		$67,466,907.82
Reserve for Claims and Claim Expenses		38,741,212.26
Reserve for Taxes and Expenses		2,036,255.85
Miscellaneous Reserves and other Liabilities		9,257,153.77
TOTAL LIABILITIES		$117,501,529.70
Capital Stock, Paid Up	$5,000,000.00	
Surplus	80,317,887.40	
Surplus as Regards Policyholders		85,317,887.40
TOTAL		$202,819,417.10

Securities carried at $2,734,963.00 in the above statement are deposited as required by law.

*Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of June 30, 1980 market quotations for all bonds and stocks owned, this Company's total admitted assets would be $194,119,247.65 and surplus as regards policyholders $76,617,717.95.

I, WILLIAM R. AMOS, Treasurer of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 30th day of June, 1980, according to the best of my information, knowledge and belief.

William R. Amos
Treasurer

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

Subscribed and sworn to, before me, a Notary Public of the State of Maryland in the City of Baltimore, this 31st day of July, 1980.

Notarial Seal

Stephanie A. Smith
Notary Public

My commission expires July 1, 1982

NO. 3

NO. 4

Item No. 20 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Dux, seconded by Councilman Wegner

WHEREAS, this Honorable Town Board was informed by the Town Attorney, in a letter dated August 12, 1980, that the Sanitary Sewer Maintenance Department should use the local government radio frequency (U.H.F.) for their radio communication, and

WHEREAS, the Police Department will soon receive a new V.H.F. frequency from the Federal Communication Commission to correct an existing interference problem, and

WHEREAS, the Sanitary Sewer Department is presently using the Police Department frequency (V.H.F.), NOW, THEREFORE, BE IT

RESOLVED that this would be an opportune time to remove the Sanitary Sewer Department communication system from the Police V.H.F. frequency and equip it to use the Sanitation Department and Parks Department U.H.F. frequency, and BE IT FURTHER

RESOLVED that the Town take action to correct licensing omission of the local government radio service frequency with the F.C.C.

Upon Roll Call....
AYES: Supervisor Meyers, COuncilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Dux, seconded by Councilman Wegner

WHEREAS, the Federal Communications Committee regulations do not allow sanitary sewer maintenance communication on a police frequency presently used by our Sanitary Sewer Maintenance Department, and

WHEREAS, the F.C.C. permits such communication on a local government radio service frequency which is presently assigned to the Sanitation Department and Parks Department, and

WHEREAS, it is in order that bids be advertised to cover the purchase of thirteen (13) mobile vehicle radios, two (2) portable and two (2) repeater control stations for the Sanitary Sewer Maintenance Department to be assigned to the U.H.F. frequency of the Sanitation Department and the Parks Department, NOW, THERFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing and installation of thirteen (13) mobile vehicle radios, two (2) portable and two (2) repeater control stations for the Town of Cheektowaga Sanitary Sewer Maintenance Department, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 2nd day of February, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a meeting called for that purpose.

Item No. 22 cont'd

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of thirteen (13) mobile radios, two (2) portable radios and two (2) repeater control stations for the Sanitary Sewer Maintenance Department.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Seehter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 22, 1981; last publication January 22, 1981; and that no more than six days intervened between publications.

Gladys M. Seehter

Sworn to before me this 23rd day of January, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of thirteen (13) mobile radios, two (2) portable radios and two (2) repeater control stations for the Sanitary Sewer Maintenance Department.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981
PUBLISHED: January 22, 1981

Item No. 23 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, and

WHEREAS, funds have been budgeted for this purpose, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said public works projects, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 2nd day of February, 1981 at 7:00 P.M., Eastern Standard Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting held for that purpose.

* *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best itnerest of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 22, 1981; last publication January 22, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 23rd

day of January, 19 81

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

DATED: January 19, 1981
PUBLISHED: January 22, 1981

Item No. 24 Notice to Bidders - (2) new 3/4 ton pick-up trucks
This item was Withdrawn.

Item No. 25 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, bids were received by this Town Board on December 15, 1980 for the furnishing of chlorine and sodium hypochlorite for the Town Sewage Treatment Plant, and

WHEREAS, Jones Chemicals, Inc., 100 Sunny Sol Boulevard, Caledonia, New York 14423 was the sole bidder for the furnishing of chlorine and sodium hypochlorite to the Town of Cheektowaga for the year of 1981, and

WHEREAS, the above mentioned corporation has met the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of chlorine and sodium hypochlorite to the Town of Cheektowaga for the year of 1981 be awarded to Jones Chemicals, Inc., the sole bidder, at the following quotations:

One Ton Cylinders	$258.00 Per Ton
Plus	$750.00 Deposit for each cylinder
Sodium Hypochlorite for the George Urban Station	$. 59 per gallon

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 26 Award of bid for Vacuum flusher machine
This item was withdrawn.

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, emergency sanitary sewer repairs were required at 16 Veterans Place in Sanitary Sewer District #3, which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the voucher of George Pagels Contracting Co., Inc., 33 Homewood Road, Cheektowaga, New York 14227, in the amount of $658.27 for the needed repairs be approved and ordered paid.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28a Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc. have approved the following Change Orders on the Scajaquada Creek Structure Replacement Project, and

WHEREAS, the scope of work on each Change Order on the Structure Replacement Project is described in a letter from the Town Engineer dated January 15, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the following Change Orders on hte Box Culvert Supplementary Agreement portion of the Structure Replacement Project, as a total reduction of $7,576.21 to the contract of Frank L. Ciminelli Construction Company, Inc. be approved:

Item No. 28a cont'd

Change Order #1 Beryl Drive Box Culvert - Add $733.52

Change Order #2 Broad Street Box Culvert - Deduct $4,796.78

Change Order #2 Chapel Avenue Box Culvert - Deduct $3,512.95

and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

* See next two (2) pages for letter

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

January 15, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders
Scajaquada Creek
Structure Replacement

Gentlemen:

The attached resolutions are submitted for your approval on the Scajaquada Creek Structure Replacement Project. This project was broken down into three (3) sections; box culverts which included Andres Place, Mildred Avenue, Toelsin Road, Cunard Road and Vegola Avenue, bridges which were replaced on Central Boulevard, McNaughton Avenue, Rosewood Terrace and Parkedge Drive and an additional agreement for box culvert replacements on Beryl Drive, Broad Street and Chapel Avenue.

These Change Orders are to balance out the increases and decreases in the quantities used or work performed at the unit bid prices. A complete detailed breakdown of each item of increase or decrease is on file in the Engineering Department. These Change Orders and final payments will close out the project except for minor work to be done next spring in the warm weather. A portion is being retained pending completion next spring.

Noted below is a tabulation of the cost of each bridge or box culvert.

BRIDGE	ORIGINAL CONTRACT	REVISED CONTRACT INCLUDING C.O.	RETENTION FOR COMPLETION
Central Blvd.*	$409,741.12	$418,126.01	0-Final
McNaughton Ave.	$375,497.79	$376,295.18	$10,000.00
Rosewood Terr.	$76,160.58	$90,998.43	$3,000.00
Parkedge Dr.	$116,798.11	$122,574.14	$3,000.00

NO. 3

NO. 4

BOX CULVERTS	ORIGINAL CONTRACT	REVISED CONTRACT INCLUDING C.O.	RETENTION FOR COMPLETION
Andres Place	$152,377.26	$132,837.88	0-Final
Mildred Ave.	$174,617.84	$168,975.03	0-Final
Toelsin Road	$195,913.46	$194,601.36	0-Final
Cunard Road	$170,662.15	$163,035.57	0-Final
Vegola Ave.	$164,186.86	$164,525.08	0-Final
Beryl Drive	$126,590.06	$127,323.58	$2,000.00
Broad Street	$68,899.19	$64,295.41	0-Final
Chapel Ave.**	$98,517.54	$152,589.72	0-Final

* The increase in the Central Boulevard Bridge cost was for the installation of new curbs and pavement from Anna Court to George Urban Boulevard, as requested by the Town to improve the project.

** The increase in the Chapel Avenue Box Culvert cost was the installation of new curbs and pavement from Orchard Place to Dick Road to conform with the Chapel Avenue Project to the west.

The retention withheld from the final payment for work to be completed next spring were calculated on unit bid price on the high side and will be finalized with a Change Order at actual costs.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

NO. 3

NO. 4

Item No. 28a cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28b Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc. have approved the following Change Orders on the Scajaquada Creek Structure Replacement Project, and

WHEREAS, the scope of work on each Change Order on the Structure Replacement Project is described in a letter from the Town Engineer dated January 15, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the following Change Orders on the bridge portion of the Structure Replacement Project, as a total addition of $4,632.76 to the contract of Frank L. Ciminelli Construction Company, Inc. be approved:

Change Order #1 Central Boulevard Bridge - Add $8,384.89

Change Order #3 McNaughton Avenue Bridge - Deduct $8,421.01

Change Order #4 Rosewood Terrace Bridge - Add $5,919.85

Change Order #2 Parkedge Drive Bridge - Deduct $1,250.97

and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

* See next two (2) pages for letter

NO. 3 NO. 4

Town of Cheektowaga

TOWN HALL — BROADWAY AND UNION ROAD — CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716 686 3448

January 15, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders
Scajaquada Creek
Structure Replacement

Gentlemen:

The attached resolutions are submitted for your approval on the Scajaquada Creek Structure Replacement Project. This project was broken down into three (3) sections; box culverts which included Andres Place, Mildred Avenue, Toelsin Road, Cunard Road and Vegola Avenue, bridges which were replaced on Central Boulevard, McNaughton Avenue, Rosewood Terrace and Parkedge Drive and an additional agreement for box culvert replacements on Beryl Drive, Broad Street and Chapel Avenue.

These Change Orders are to balance out the increases and decreases in the quantities used or work performed at the unit bid prices. A complete detailed breakdown of each item of increase or decrease is on file in the Engineering Department. These Change Orders and final payments will close out the project except for minor work to be done next spring in the warm weather. A portion is being retained pending completion next spring.

Noted below is a tabulation of the cost of each bridge or box culvert.

BRIDGE	ORIGINAL CONTRACT	REVISED CONTRACT INCLUDING C.O.	RETENTION FOR COMPLETION
Central Blvd.*	$409,741.12	$418,126.01	0-Final
McNaughton Ave.	$375,497.79	$376,295.18	$10,000.00
Rosewood Terr.	$76,160.58	$90,998.43	$3,000.00
Parkedge Dr.	$116,798.11	$122,574.14	$3,000.00

NO. 3

NO. 4

BOX CULVERTS	ORIGINAL CONTRACT	REVISED CONTRACT INCLUDING C.O.	RETENTION FOR COMPLETION
Andres Place	$152,377.26	$132,837.88	0-Final
Mildred Ave.	$174,617.84	$168,975.03	0-Final
Toelsin Road	$195,913.46	$194,601.36	0-Final
Cunard Road	$170,662.15	$163,035.57	0-Final
Vegola Ave.	$164,186.86	$164,525.08	0-Final
Beryl Drive	$126,590.06	$127,323.58	$2,000.00
Broad Street	$68,899.19	$64,295.41	0-Final
Chapel Ave.**	$98,517.54	$152,589.72	0-Final

* The increase in the Central Boulevard Bridge cost was for the installation of new curbs and pavement from Anna Court to George Urban Boulevard, as requested by the Town to improve the project.

** The increase in the Chapel Avenue Box Culvert cost was the installation of new curbs and pavement from Orchard Place to Dick Road to conform with the Chapel Avenue Project to the west.

The retention withheld from the final payment for work to be completed next spring were calculated on unit bid price on the high side and will be finalized with a Change Order at actual costs.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

NO. 3

NO. 4

Item No. 28b cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28c Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc. have approved the following Change Orders on the Scajaquada Creek Structure Replacement Project, and

WHEREAS, the scope of work on each Change Order on the Structure Replacement Project is described in a letter from the Town Engineer dated January 15, 1981 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the following Change Orders on the culvert portion of the Structure Replacement Project, as a total reduction of $36,986.65 to the contract of Frank L. Ciminelli Construction Company, Inc. be approved:

Change Order #2	Andres Place Box Culvert	- Deduct $20,539.38
Change Order #1	Mildred Drive Box Culvert	- Deduct $5,642.81
Change Order #1	Toelsin Road Box Culvert	- Deduct $1,312.10
Change Order #2	Cunard Road Box Culvert	- Deduct $8,330.58
Change Order #2	Vegola Avenue Box Culvert	- Deduct $1,161.78

and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

* See next two (2) pages for letter

No. 3

No. 4

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716 686 3448

January 15, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Orders
Scajaquada Creek
Structure Replacement

Gentlemen:

The attached resolutions are submitted for your approval on the Scajaquada Creek Structure Replacement Project. This project was broken down into three (3) sections; box culverts which included Andres Place, Mildred Avenue, Toelsin Road, Cunard Road and Vegola Avenue, bridges which were replaced on Central Boulevard, McNaughton Avenue, Rosewood Terrace and Parkedge Drive and an additional agreement for box culvert replacements on Beryl Drive, Broad Street and Chapel Avenue.

These Change Orders are to balance out the increases and decreases in the quantities used or work performed at the unit bid prices. A complete detailed breakdown of each item of increase or decrease is on file in the Engineering Department. These Change Orders and final payments will close out the project except for minor work to be done next spring in the warm weather. A portion is being retained pending completion next spring.

Noted below is a tabulation of the cost of each bridge or box culvert.

BRIDGE	ORIGINAL CONTRACT	REVISED CONTRACT INCLUDING C.O.	RETENTION FOR COMPLETION
Central Blvd.*	$409,741.12	$418,126.01	0-Final
McNaughton Ave.	$375,497.79	$376,295.18	$10,000.00
Rosewood Terr.	$76,160.58	$90,998.43	$3,000.00
Parkedge Dr.	$116,798.11	$122,574.14	$3,000.00

BOX CULVERTS	ORIGINAL CONTRACT	REVISED CONTRACT INCLUDING C.O.	RETENTION FOR COMPLETION
Andres Place	$152,377.26	$132,837.88	0-Final
Mildred Ave.	$174,617.84	$168,975.03	0-Final
Toelsin Road	$195,913.46	$194,601.36	0-Final
Cunard Road	$170,662.15	$163,035.57	0-Final
Vegola Ave.	$164,186.86	$164,525.08	0-Final
Beryl Drive	$126,590.06	$127,323.58	$2,000.00
Broad Street	$68,899.19	$64,295.41	0-Final
Chapel Ave.**	$98,517.54	$152,589.72	0-Final

* The increase in the Central Boulevard Bridge cost was for the installation of new curbs and pavement from Anna Court to George Urban Boulevard, as requested by the Town to improve the project.

** The increase in the Chapel Avenue Box Culvert cost was the installation of new curbs and pavement from Orchard Place to Dick Road to conform with the Chapel Avenue Project to the west.

The retention withheld from the final payment for work to be completed next spring were calculated on unit bid price on the high side and will be finalized with a Change Order at actual costs.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

No. 3

No. 4

Item No. 28c cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28d Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc. have approved the following Change Orders on the Scajaquada Creek Structure Replacement Project, and

WHEREAS, it was necessary to realign the curbs and revise an adverse grade to improve the Andres Place Box Culvert Project, and

WHEREAS, two (2) 12" trees close to the structure had to be removed due to this revision, and

WHEREAS, one (1) 4" maple tree was planted at #96 Andres and one (1) at #104 Andres to replace the removed trees, NOW, THEREFORE, BE IT

RESOLVED that Change Order #1 on the Andres Place Box Culvert, as an addition of $1,000.00 to the contract of Frank L. Ciminelli Construction Company, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Lorraine Kaminski, Senior Clerk in the Office of the Assessor has notified the Town Board that she is resigning from her position, NOW, THEREFORE, BE IT

RESOLVED that the resignation of Lorraine Kaminski, effective December 31, 1980, be and hereby is accepted.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, Robert E. Rissler, employed as an Auto Mechanic in the Central Garage was granted, through previous Town Board resolution dated October 6, 1980, a six (6) month leave of absence retroactive to July 6, 1980, and

WHEREAS, said leave of absence was granted to Mr. Fissler due to a disability illness, and

WEHREAS, Mr. Fissler's illness persists to date, preventing his return to active employment in the Central Garage, and

WHEREAS, Mr. Fissler has requested an additional six (6) months leave of absence without pay, NOW, THEREFORE, BE IT

RESOLVED that Robert E. Fissler be and hereby is granted a leave of absence without pay for a period of six (6) months, retroactive to January 6, 1981, and BE IT FURTHER

No. 3 No. 4

Item No. 30 cont'd

RESOLVED that Mr. Fissler shall be covered by Blue Shield/Blue Cross and Life Insurance during said period of leave, and BE IT FURTHER

RESOLVED that Mr. Fissler is not entitled to any benefits except those covered by the resolution and Article 9, Section (d) of the Union Contract, while on said "Leave of Absence".

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Nancy A. Sztukowski, Recreation Instructor in the Recreation Department, has requested a leave of absence without pay from her position for educational purposes, and

WHEREAS, the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association provides for a leave of absence, without pay, for the reason listed above, NOW, THEREFORE, BE IT

RESOLVED that Nancy A. Sztukowski, be and hereby is granted a leave of absence without pay from her position of Recreation Instructor in the Recreation Department, said leave of absence to run from February 1, 1981 to June 15, 1981.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Maryanna Stafflinger, of , has previously been granted a leave of absence from her permanent position of Senior Clerk in the Highway Department, to accept the temporary position of Senior Clerk in the Assessor's Office, and

WHEREAS, the position of Senior Clerk in the Assessor's Office can now be filled on a permanent basis due to the resignation of the employee who previously held the position, NOW, THEREFORE, BE IT

RESOLVED that Maryanna Stafflinger be and hereby is appointed to the permanent position of Senior Clerk in the Assessor's Office; said permanent appointment retroactive to December 31, 1980.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that Karen Green of , Cheektowaga, New York, be and hereby is appointed to the position of temporary Clerk Typist in the Assessor's Office, effective January 20, 1981, at the 1980 Clerk-Typist entry pay level in accordance with the current bargaining agreement in effect between the Town of Cheektowaga, and the Cheektowaga Employees Association; said temporary appointment not to exceed thirty (30) working days.

Upon Roll....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 34 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that the following employees are hereby hired and assigned to the Boy Scouts of America, as a Clerk-Typist at a salary of $3.5714/an hour, and BE IT FURTHER

RESOLVED that the following employees will be placed on the Cheektowaga Payroll as a convenience to the worksite. Their pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Harkiewicz, Linda	Ward, Rosemary
Cheektowaga, N.Y. 14227	Depew, New York 14043

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of Federal funds to conduct a Youth Community Conservation and Improvement Project (YCCCIP), and

WHEREAS, the YCCIP is a Title IV program of the Manpower Administration, with the purpose of providing employment and training to young adults, ages 16 through 19, who are unemployed, economically disadvantaged and have dropped out of school, NOW, THEREFORE, BE IT

RESOLVED that the below listed individual be hired to participate in said program, retroactive to January 7, 1981, at the rate of $3.35 per hour, the current minimum wage:

--Dean Block

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Councilman Swiatek, seconded by Councilman Wegner

BE IT RESOLVED that the below listed individual be hired to work for the Cheektowaga Youth Bureau with the title and salary for 1981 and thereby be established as follows:

ADMINISTRATIVE INTERN PROGRAM (Clerk) - (A.7310.160) - $3.25 per hour

--Susan D. Lis

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 37 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, various Town of Cheektowaga Departments are in need of Seasonal Employees to supplement their regular full time work staff, NOW, THEREFORE, BE IT

RESOLVED that the following individuals are hereby hired in the listed departments:

SANITATION DEPARTMENT:

Seasonal Laborers at $3.10 per hour:

Harold Wanderlich
Cheektowaga, New York 14227

Kenneth Ganje
Cheektowaga, New York 14225

Thomas Menchini
Cheektowaga, New York 14225

CENTRAL GARAGE:

Seasonal Laborers at $3.10 per hour:

Paul Jarmuz
Cheektowaga, New York 14225

Michael Burzynski
Cheektowaga, New York 14227

Bernard Wojtkowiak, Jr.
Sloan, New York 41212

William Chruscicki
Cheektowaga, New York 14227

CENTRAL GARAGE:

Clerical at $3.10 per hour:

Lori Ferdinand
Cheektowaga, New York 14227

FACILITIES DEPARTMENT:

Part-Time Laborers at $3.10 per hour

Stanley Dynowski
Cheektowaga, New York 14227

Theodore Sharbek, Jr.
Cheektowaga, New York 14225

Daniel Nagel
Cheektowaga, New York 14227

Richard Rosati
Cheektowaga, New York 14225

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 38 Motion by Councilman Swiatek, seconded by Councilman Wegner

RESOLVED the the following named people be reappointed to the Cheektowaga Youth Board with the designated terms:

Joseph Ball

Term to expire December 31, 1983

Robert Brandon

Term to expire December 31, 1983

Michael Cirbus

Term to expire December 31, 1983

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 39 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that the following part-time personnel be rehired by the Cheektowaga Department of Senior Services for the year 1981 at the following rates, retroactive to January 1, 1981, subject to 1981 hourly adjustments:

$3.50 per hour:

Jean Wasielewski (secretary)
William Boye (van driver)
Ernest Corkill (van driver)
Nicholas LaBruna (van driver)
William Przybyla (van driver)
Carol Lonczak (site manager)
Carol Malkiewicz (site manager)
Adele Makowski (site manager)
Dorothy McManus (site manager)
Ann Skowron (site manager)
Marcyann Strumpf (van driver)

$3.50 per hour:

Laura Hollenbeck (ceramics)
Ruth Pollian (arts & crafts)
Sylvia Frank (arts & crafts

$30.00 per session:

Donald Duffin (square dance)

$6.50 per hour:

Geraldine Kempton (exercise instructor)

$4800.00 annual

Wilifred Mangiovi (Senior Community aide)

$3.00 per hour

Sally Citta
Marie Fredericks
Mary Grau
Charlotte Heeb
Eugenia Hitzel
Valerie Irmler
Sonia Przybysz
Adele Sicignano
Jean Wisniewski
Irene Zyblis

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 40 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following be rehired by the Cheektowaga Recreation Department for the Winter Programs in 1981 retroactive to January 1, 1981, subject to 1981 hourly adjustments:

WINTER SCHOOL PROGRAMS - A7140.167 - $4.00 per hour

Rick Binner
Peter Odrobina
Jay Fowlow
Michael Grabek
Dominic Mirando
Darrel Setter

WINTER SCHOOL PROGRAMS - A7140.167 - $3.00 per hour

Paul Englert
Mike Sauer
Bob Wiseman
Jeff Pijacki
Marty Nowak
Michael Gibbons
Keith Yorko
Joe Trzaska, Jr.
Dan Nash
Chris Rogalski
Jeff Garbacz
Jim Nowak
Andrew Wlodarczyk
Dan Opera
Douglas Epolito
David Ciemny
Jeffrey Thomas

RINK PERSONNEL - A7140.163 - $3.10 per hour

Michael Bauman
Norman Bitterman
Rae Marie Heckman
Robert Kowalewski
Bob Maue
Lita Murawski
Robin Reimer
Barbara Wojcik

HOUSE LEAGUE HOCKEY COORDINATOR - A7140.163 - $3.25 per hour

Dean Lach

FIGURE SKATING INSTRUCTOR - A7140.163 - $20.00 per week

Lise Woolrich

RECREATION SUPERVISORS COMMUNITY CENTERS - A7140.164 - $3.50 per hour

Mary Ellen Eldridge
David Gasiewicz
Joseph Wojcik

RECREATION INSTRUCTORS COMMUNITY CENTERS - A7140.164 - $4.00 per hour

Daniel Cassacci
James Chojnicki
Colleen Sue Stapleton

RECREATION ATTENDANTS COMMUNITY CENTERS - A7140.164 - $3.25 per hour

Don Levan
Nancy Augulia
Thomas Block
Sharon Catalfu
Lou Choinski
Cindy Feyrer
Barbara Fiorello
Mary Ann Spaulding
Randy Sevilla
Patricia Herweg
David Lawrence
Lucille Needham
Melissa Prorok
Maureen Schneider
Karen Spaulding

WINTER SCHOOL PROGRAMS - A7140.167 - $3.25 per hour (wrestling instructor)

James Manna

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

No. 3 No. 4

Item No. 41 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the Cheektowaga Sanitation Department has seasonal employees to fill daily assignments to cover sickness, personal leave and vacations, NOW, THEREFORE, BE IT

RESOLVED that the hourly rate of the following individual be on the same basis as the entry level of a Clerk-Typist, subject to 1981 hourly adjustment:

Seasonal Clerical

Rose Gawel

and BE IT FURTHER

RESOLVED that the hourly rates of the following individuals be $3.10 per hour, subject to 1981 hourly adjustment:

Seasonal Laborers

Anthony Broniszewski
Anthony Chirico, Jr.
Gregory Miller
Robert Bartosz
Richard Marinaccio
John Sczepanik
Gregory Bystrak
David Long

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, Ellen Pacer is being paid through the Youth Community Conservation and Improvement Project (Y.C.C.I.P.) grant, and

WHEREAS, this federally funded program mandates that the federal minimum wage of $3.35 per hour be paid to all participants, NOW, THEREFORE, BE IT

RESOLVED that Ellen Pacer be entitled to the federal minimum wage retroactive to January 1, 1981.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, various business matters, especially associated with the Town wastewater projects, flood control and drainage projects are presently pending between the Town of Cheektowaga and a number of State Agencies and Departments in Albany, New York and Federal Agencies in New York City, and

WHEREAS, conferences, meetings and consultations are expected to be held between representatives of State and Federal Agencies and others with Town of Cheektowaga Officials to transact business on behalf of the Town during the coming months, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer be and hereby is authorized to attend such meetings as are necessary to transact business on behalf of the Town for a period ending December 31, 1981, and BE IT FURTHER

RESOLVED that all reasonable and necessary expenses to attend such meetings be reimbursed by the Town.

No. 3 No. 4

Item No. 43 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 44 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the following individuals be and hereby are authorized to attend the annual Association of Towns Convention held in New York City, February 15-18, 1981 and that their reasonable and proper travel expenses be reimbursed by the Town:

Councilmen
Town Attorney or Deputy
Town Clerk or Deputy
Town Engineer
Town Historian
Planning Board Chairman or alternate
Tax Collector or Deputy
Sole Assessor
Highway Superintendent
Town Justice employee
Sanitation Foreman
Facility Director
Zoning Board Chairman or alternate
Building & Plumbing Inspector

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 45 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Association of Towns and Villages will be conducting an annual meeting from February 15 - 18, 1981 at the New York Hilton Hotel in New York City, and

WHEREAS, there will be a special program for Court Clerks covering such topics as docketing procedures, changes in the Driving While Intoxicated Laws and how the existing forms will be changed, and the introduction of new forms required by various state departments, and

WHEREAS, Town Justices Henry R. Gabryszak, and Dennis L. Repka, have requested permission from the Town Board to authorize Sandra Stapleton, Clerk-Typist, to attend said meeting, NOW, THEREFORE, BE IT

RESOLVED that Sandra Stapleton is hereby authorized to attend the annual meeting of Towns and Villages, February 15 - 18, 1981 at the New York Hilton Hotel in New York City and BE IT FURTHER

RESOLVED that Sandra Stapleton shall be reimbursed for all necessary and reasonable travel expenses in connection with said meeting, at a sum not to exceed $600.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 46 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants received by the TOWN OF CHEEKTOWAGA prior to January 19th, 1981 are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NOS. FROM	TO	AMOUNT
CAPITAL FUND	404,410-415		$ 213,637.46
FEDERAL REVENUE SHARING FUND	628,654-655,678-690		209,125.61
SPECIAL ASSESSMENT FUND	34		-0-
DEBT SERVICE FUND	112		-0-
REHABILITATION GRANT FUND	103-104		2,036.90
HUD - NPP GRANTS	138-139		2,005.00
H.U.D. - C.D.B.G. FUND	300,303		15,250.00
PART TOWN FUND	341,348-353,368-371		12,363.64
TRUST AND AGENCY FUND	914-923,928-929		294,249.27
SPECIAL DISTRICT FUND	7977,8058-8065,8126,8129-8171, 8174-8186, 8188-8200		443,781.90
HIGHWAY FUND	5970,6006-6010, 6050,6053-6077		125,401.94
GENERAL FUND	17644,17908, 18135,18309-18310 18421,18434-18440,18524,18568 18587,18589-18593,18595,18600 18713,18715-18717		799,224.41
			$2,117,076.13

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 47 Health report for December, 1980
This item was Received and Filed.

Item No. 48 Minutes of Cheektowaga Library Board
This item was Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 49 Letter and information regarding Association of Towns Meeting
Received and Filed.

Item No. 50 NOTICE OF CLAIM - Alfred Michalski vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; Ron Zoeller, Working Foreman in the Sanitation Department; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 51 SUMMONS & COMPLAINT - John Ogiony & Edward Ogiony vs Josela Enterprises; Josela Enterprises vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector; Alfred Wnek, Highway Superintendent
Received and Filed.

Item No. 52 SUMMONS & COMPLAINT - Grace and Alfred Pietrzak vs Town of Cheektowaga and Edward Chmura
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Alfred Wnek, Highway Superintendent; T. DeFedericis, Chief of Police; Cheektowaga Traffic Safety Commission.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman Burst to suspend the rules to include the following items.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 53 Appointment of C. Rogowski as Town Delegate to Solid Waste Management Review Board

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga has participated in an Erie County Steering Committee on Solid Waste Management, and

WHEREAS, said Committee will shortly be submitting a final report and recommendations, and

WHEREAS, it appears necessary that a review board composed of elected officials from various communities be established to:

1.) Evaluate the Steering Committee report;

2.) Consider the method and cost of implementation of any Steering Committee recommendations;

3.) Determine the role of the County in solid waste management and the need for solid waste districting;

4.) Examine the nature of any requisite cooperation agreements between communities;

5.) Participate in any joint discussions with prospective markets for solid waste or interested communities;

and

WHEREAS, Councilman William Rogowski is the Chairman of the Town Board Sanitation Committee, and

WHEREAS, Councilman Rogowski has previously been appointed the Town Board's representative on the Steering Committee, NOW, THEREFORE, BE IT

RESOLVED that Councilman William Rogowski is hereby appointed as the Town's delegate to the Solid Waste Management Review Board, and BE IT FURTHER

RESOLVED that a copy of this resolution be forwarded to Mr. Anthony Voell, c/o the Erie County Steering Committee on Solid Waste Management.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

No. 3 No. 4

Item No. 54 Adoption of Bond Resolution appropriation $295,000 for Increase and Improvement of Facilities of Sanitary Sewer District #2.

* See next pages for copy

No. 3 No. 4

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York.

January 19, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Barodway and Union Road, New York, in said Town, on January 19, 1981, at 7:00 o'clock P.M.(E.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor, and
Frank E. Swiatek, Councilman
Thomas M. Johnson, Jr., Councilman
Frank J. Dux, Councilman
James R. Burst, Councilman
Donald J. Wegner, Councilman
William P. Rogowski, Councilman

There were absent:

Also present: Richard A. Moleski, Town Clerk

James Kirisits, Town Attorney

* * *

Councilman Johnson offered the following Resolution and Order and moved its adoption:

No. 3

No. 4

RECEIVED

JAN 26 1981

Richard M. Moleski, Town Clerk

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on the 19th day of January, 1981.

PRESENT:

Hon. Kenneth J. Meyers,	Supervisor
Frank E. Swiatek,	Councilman
Thomas M. Johnson, Jr.,	Councilman
Frank J. Dux,	Councilman
James R. Burst,	Councilman
Donald J. Wegner,	Councilman
William P. Rogowski,	Councilman

- -X

In the Matter of the : RESOLUTION AND ORDER AFTER PUBLIC HEARING

Increase and Improvement of Facilities of Sanitary Sewer District No. 2. in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law. : January 19, 1981

- -X

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, on behalf of Sanitary Sewer District No. 2, in the Town (herein called "District"), has requested Nussbaumer & Clarke, Inc., Consulting Engineers, duly licensed by the State of New York (herein called "Engineers"), to prepare a preliminary map, plan and estimate of cost for the increase and improvement of facilities of the District consisting of the construction of approximately 3,355 feet of 8 inch and 10 inch sewer lines in and along portions of Walden Avenue, including pavement and driveway replacement, and also including acquisition of land or rights in land, original furnishings, equipment and apparatus in connection therewith, at a cost not to exceed $295,000;

WHEREAS, the Engineers completed such map and plan and estimate of cost and filed same with the Town Board, the Town Board thereafter adopted an Order describing in general terms the proposed increase and improvement of the facilities, specifying the

estimated cost thereof, and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on January 5, 1981, at 7:00 o'clock P.M.(E.S.T.), at the Town Hall, in the Town; and

WHEREAS, copies of such Order, certified by the Town Clerk, were duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 5th day of January, 1981, at 7:00 o'clock P.M.(E.S.T.) at the Town Hall, in the Town, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities;

now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of $295,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineers heretofore retained by the Board shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities and with the assistance of James Kirisits, Esq., prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be assessed, levied and collected from the several lots and parcels of land within the District in

NO. 3
NO. 4

so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines said increase and improvement of the facilities shall confer upon the same for payment of the principal and interest thereon; any amounts received from the United States of America shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the assessments to pay the principal of and interest on said bonds; and it is hereby

FURTHER ORDERED, that the Town Clerk record a certfied copy of this Resolution and Order After Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: January 19, 1981

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Kenneth J. Meyer
Supervisor

Frank R. Jurasek
Councilman

Donald C. Wagner
Councilman

Frank D. Sing
Councilman

James R. Burst
Councilman

Thomas M. Robson
Councilman

William C. Pogowski
Councilman

SEAL

Members of the Town Board of the Town of Cheektowaga, New York

NO. 3
NO. 4

1981 JAN 21 PM 3:18

FILED
ERIE COUNTY
CLERK'S OFFICE

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD A MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office on the 19th day of January, 1981 and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 19th day of January, 1981.

SEAL

Richard M. Moleski
Town Clerk

IN THE MATTER of the Increase and Improvement of Facilities of Sanitary Sewer District No. 2 in the Town of Cheektowaga, in the County of Erie, New York, Pursuant to Section 202-b of the Town Law.

C.C. ORDER & RESOLUTION

144

LIBER 8981 PAGE 414

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 8981 Page 411
of Deeds
on the 21 day of January
A.D., 1981 at 3:18 o'clock PM
and examined.

County Clerk

Chg F 20.50
7 13.00 18

NO. 3

NO. 4

Councilman Johnson offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED January 19, 1981, APPROPRIATING $295,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF SANITARY SEWER DISTRICT NO. 2, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $295,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, following preparation of a map, plan and report for the increase and improvement of facilities of Sanitary Sewer District No. 2 (herein called "District"), in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, consisting of construction of approximately 3,355 feet of 8 inch and 10 inch sewer lines in and along portions of Walden Avenue, including pavement and driveway replacement, and also including acquisition of land or rights in land, original furnishings, equipment and apparatus in connection therewith, and after a public hearing duly called and held, the Town Board of the Town determined, that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved;

now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of $295,000 for the increase and improvement of facilities of the District, all in accordance with the map, plan and report prepared by Engineers, duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The

No. 3
No. 4

estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $295,000 and the plan of financing includes the issuance of $295,000 serial bonds of the Town and the assessment, levy and collection of assessments on the several lots and parcels of land within the District so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines said increase and improvement of facilities shall confer upon the same for payment of the principal and interest thereon. In addition, any amounts received from the United States of America shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the assessments to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of $295,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00 d. 3 (a) of the Law.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

No. 3
No. 4

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said Notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

No. 3

No. 4

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

***

Councilman Johnson offered the following resolution and moved its adoption:

No. 3

No. 4

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby directed to publish the foregoing bond resolution, in full, in the "CHEEKTOWAGA TIMES", a newspaper published in Cheektowaga, New York, and having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

***

No. 3

No. 4

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD A. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on January 19, 1981, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 19th day of January, 1981.

Richard A. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication January 22, 1981; last publication January 22, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 23rd day of January, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE

The resolution published herewith has been adopted on the 19th day of January, 1981, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JANUARY 19, 1981, APPROPRIATING $295,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF SANITARY SEWER DISTRICT NO. 2, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $295,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, following preparation of a map, plan and report for the increase and improvement of facilities of Sanitary Sewer District No. 2 (herein called "District"), in the Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, consisting of construction of approximately 3,355 feet of 8 inch and 10 inch sewer lines in and along portions of Walden Avenue, including pavement and driveway replacement, and also including acquisition of land or rights in land, original furnishings, equipment and apparatus in connection therewith, and after a public hearing duly called and held, the Town Board of the Town determined, that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved;

now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of $295,000 for the increase and improvement of facilities of the District, all in accordance with the map, plan and report prepared by Engineers, duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is $295,000 and the plan of financing includes the issuance of $295,000 serial bonds of the Town and the assessment, levy and collection of assessments on the several lots and parcels of land within the District so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines said increase and improvement of facilities shall confer upon the same for payment of the principal and interest thereon. In addition, any amounts received from the United States of America shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the assessments to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of $295,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00 d. 3 (a) of the Law.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond aniticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said Notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

PUBLISHED: January 22, 1981

Item No. 55 Retain law firm to obtain easements in Sanitary Sewer District #8

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, easements have been obtained for the construction of sewers in Sanitary Sewer District #8, and

WHEREAS, it is desired to realign the sanitary sewer parallel to Genesee Street so as to construct an improved design which sewer realignment will benefit the Town and the Sonwil Drive properties, NOW, THEREFORE, BE IT

RESOLVED that the law firm of Lipsitz, Green, Fahringer, Roll, Schuller & James, located at 1 Niagara Square, Buffalo, New York, be and hereby is retained to obtain said easements in Sanitary Sewer District #8, and BE IT FURTHER

RESOLVED that all reasonable fees and expenses be paid by the Town.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 56 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

No. 3

No. 4

MEETING NO. 3

CHEEKTOWAGA, NEW YORK
February 2, 1981

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of February, 1981 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman James R. Burst
Councilman William P. Rogowski

ABSENT: 0

Also present were: Mary F. Holtz, Deputy Town Clerk; Kenneth J. Kopacz, Executive Director of the Youth Board; Theodore DeFedericis, Chief of Police; Sal LaGreca, Assistant Manpower Program Director I; Mrs. Julia Reinstein, Town Historian; James J. Kirisits, Town Attorney; Chester Bryan, Town Engineer; Vito Caruso, Consultant from Nussbaumer and Clarke, Inc.; Stuart Alexander, Consultant from Stuart Alexander and Associates, Inc.; Ronald Zoeller, Working Foreman of the Sanitation Department; Ronald Marten, Building Inspector; Michael Miecznikowski, Temporary Director of Recreation; Pat Wojcik, Recreation Supervisor - Senior Citizens; Alfred Wnek, Highway Superintendent.

I. BIDS

Item No. 2 Walden Avenue Storm-Sanitary Sewer Project.
Bids were referred to the Engineering Department.

Item No. 3 Rehabilitation of Sanitary Sewers in Sanitary Sewer District #5.
Bids were referred to the Engineering Department.

Item No. 4 Baseball Equipment.
Bids were referred to the Recreation Department.

Item No. 5 Equipment, operators and laborers for Public Works Projects.
Bids were referred to the Engineering Department.

Item No. 6 Thirteen (13) mobile radios, two (2) portable radios and two (2) repeater control stations for Sanitary Sewer Maintenance Dept.
Bids were referred to Engineering Department.

II. PUBLIC HEARINGS

Item No. 7 This was the time and place advertised for a public hearing to consider the advisability of enacting an amendment to the "Zoning Ordinance of the Town of Cheektowaga, New York". Said change would be the enactment of a new Section 2-30, entitled Senior Citizen Housing, under Article II - RESIDENCE DISTRICT REGULATIONS, which enactment provides for the housing of senior citizens as a permitted use, as well as makes provision for accessory uses, area requirements, density requirements and parking requirements.

The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

Item No. 7 Cont'd.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, including those of James Havernick, Chief of Bellevue Fire Department; Ed Saternus, Southline Fire Department Fire Inspector; Stuart Alexander, Consultant of Stuart Alexander and Associates, Inc.; and Sal LaGreca, Planning Board Chairman. After the comments , the Supervisor declared the hearing closed; decision was reserved.

Item No. 8 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

* * * * * * * * * * * * *

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by deleting therefrom the following:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
ST. BONIFACE RD.-N.	East-west	MCNAUGHTON AVE.	Southbound	N.W. Corner

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following street:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
DICK ROAD	North-south	AMTRAK ROAD	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

D. No standing here to corner.

ROSSLER AVENUE

(1) West side: one hundred (100) feet north of Dingens Street.

* * * * * * * * * * * * * *

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

III. RESOLUTIONS

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS the next regularly scheduled Town Board meeting is Monday, February 16, 1981, and

WHEREAS Monday, February 16, 1981 is a Holiday, namely Washington's Birthday, NOW, THEREFORE, BE IT

RESOLVED that the next regularly scheduled Town Board meeting shall be held on Tuesday, February 17, 1981 at 7:00 P.M.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 10 Call for Public Hearing: Rezoning of property located at 5 Greenleaf Lane.
This item was withdrawn.

Item No. 11 Call for Public Hearing: Rezoning on property located at 812 Borden Road.
This item was withdrawn.

Item No. 12 Motion by Councilman Wegner, seconded by Supervisor Meyers

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967 be held on the 17th day of February, 1981 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES, on the 5th day of February, 1981; said amendment being set forth in the Notice of Hearing.

* * * * * * * * * * * * *

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 17th day of February, 1981 at 7:00 P.M. Eastern Standard Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by deleting therefrom the following:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
ST. BONIFACE	East-west	MCNAUGHTON AVENUE	Northbound	S.E. Corner

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Dated: February 2, 1981

RICHARD M. MOLESKI
Town Clerk

* * * * * * * * * * * * *

NO. 4

Item No. 12 Cont'd.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 5, 1981; last publication February 5, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 6th day of February, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NO. 4

NOTICE OF HEARING

TAKE NOTICE that the **Town Board of the Town of Cheektowaga**, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 17th day of February, 1981 at 7:00 P.M. Eastern Standard Time to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by deleting therefrom the following:

Street, ST. BONIFACE; **Direction**, East-west; **Entrance Street**, McNAUGHTON AVENUE; **Traffic Stops**, Northbound; **Sign Location**, S.E. Corner

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: February 5, 1981

NO. 4

Item No. 13 Decision on rezoning at 500 Dick Road.
This item was withdrawn.

Item No. 14 Decision on rezoning: William Street between Starlite and Tamarck Ct.
This item was withdrawn.

Item No. 15 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 19th day of January, 1981 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking:

LEMANS DRIVE	South side	from the east curbline of SEBRING DRIVE to the west curbline of BENZ DRIVE

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York,

(b) Any part or parts of this amendment which is subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

This amendment shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the village of Depew and Sloan.

Section 4. Publication

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Item No. 15 Cont'd.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Fechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is ..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 5, 1981; last publication February 5, 1981; and that no more than six days intervened between publications.

Gladys M. Fechter

Sworn to before me this 6th

day of February, 1981

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NO. 4

Legal Notices

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of February, 1981 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 19th day of January, 1981 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping.

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking:

LEMANS DRIVE, South side, from the east curbline of SEBRING DRIVE to the west curbline of BENZ DRIVE

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of this amendment which is subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

This amendment shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the village of Depew and Sloan.

Section 4. Publication.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call...

Supervisor		
Meyers	Voting	AYE
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Burst	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 2, 1981, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 15, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of February, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: February 5, 1981

Item No. 16 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the Sewer Maintenance Department is in need of two (2) new 3/4 ton pick-up trucks to replace two (2) existing trucks now used by the maintenance crews, AND

WHEREAS, funds have been budgeted for this purpose, NOW, THEREFORE, BE IT

RESOLVED, that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said vehicles, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that the Town Board will meet on the 17th day of February, 1981 at 7:00 P.M., Eastern Standard Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* * * * * * * * * * * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of Cheektowaga on February 17, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads for two (2) 3/4 ton pick-up trucks.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Richard M. Moleski
Town Clerk

DATED: February 2, 1981

* * * * * * * * * * * * * *

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

*SEE AFFIDAVIT ON NEXT PAGE.

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 5, 1981; last publication February 5, 1981; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 6th

day of February, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

NO. 4

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of Cheektowaga on February 17, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads for two (2) 3/4 ton pick-up trucks.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Richard M. Moleski
Town Clerk

DATED: February 2, 1981
PUBLISHED: February 5, 1981

Item No. 17 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, bids were duly received and opened at the regular Town Board meeting of December 15, 1980 as a result of advertisement for the purchase of a truck with a vacuum flusher machine, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated January 29, 1981, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the purchase of one (1) new truck with conventional cab and a vacuum flusher machine for the Sewer Maintenance Department with trade-in of a 1967 International Truck and Myers Flusher as recommended by the Town Engineer, be and the same is hereby awarded to P-D Service Inc., 3813 Broadway, Cheektowaga, New York 14227 for their bid in the amount of $82,955.00, said bid being the lowest meeting the requirements of the specifications.

*SEE NEXT TWO (2) PAGES FOR ANALYSIS, TABULATION AND REPORT.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

January 29, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the Regular Town Board Meeting of December 15, 1980, bids were received and publicly opened for the purchase of one (1) new truck with a vacuum flusher machine for the Sewer Maintenance Department. Two (2) bids were received and are as follows:

BIDDER	ITEM I BASE BID	ITEM IA TRADE IN (1) MEYERS FLUSHER	TOTAL BID LESS TRADE-IN
P-D Service Inc. Cheektowaga, NY Aquajet	$98,450.00	$15,495.00	$82,955.00
Rojac Waste Equip. Inc. Rochester, NY Vactor	$82,543.00	$5,000.00	$77,543.00

The Sewer Maintenance Department presently has one (1) 1978 Vactor-Vacuum Flusher and realize the benefits in sewer maintenance over the old method of flushing the debri into the next section of pipe to clear the blockage.

Specifications were written to extend the capabilities of the machine desired to enable the department to do more work such as cleaning wet wells at the pump stations, being able to reach manholes 20' out from the street curb, drawing material with the nozzle submerged in water or dry debri and recirculating the water in the system to prevent freezing while traveling in colder weather.

The Vactor offered some optional equipment in an attempt to meet the requirements of the specifications at a cost of $2,224.00 or a total cost of $79,767.00 but still did not meet the specifications.

It is, therefore, recommended that the bid be awarded to P-D Service Inc., for the Aquateck C-2000 Vacuum Flusher, with a trade-in of one (1) 1967 Meyers Flusher, for a net bid price of $82,955.00, said bid meeting all the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 17 Cont'd.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, bids were duly received by this Town Board at a meeting held on January 19, 1981 for the moving of election machines to and from various locations in the Town for the year of 1981 as a result of advertisement, AND

WHEREAS, such bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is attached hereto and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the moving of election machines to and from various locations in the Town be awarded to P.J. Garvey Carting and Storage, Inc., 465 Cornwall Avenue, Buffalo, New York 14215 for their submission of the lowest bid of $5,640.75 meeting the requirements of the specifications.

*SEE NEXT PAGE FOR ANALYSIS, TABULATION AND REPORT.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

January 29, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Moving
Election Machines

Gentlemen:

At the Regular Town Board Meeting of January 19, 1981 bids were received and publicly opened for moving election machines to and from various locations in the Town of Cheektowaga. One (1) bid was received as follows:

BIDDER	BID PRICE
P.J. Garvey Carting and Storage, Inc.	$5,640.75

It is, therefore, recommended that the bid be awarded to P.J. Garvey Carting and Storage, Inc., 465 Cornwall Avenue, Buffalo, New York 14215 for submitting the only bid of $5,640.75 meeting the requirements of the specifications. This bid is an increase of fifteen percent (15%) over last years price by the same bidder.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 18 Cont'd.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, bids were duly received on December 15, 1980 as the result of advertisement, therefore, for the furnishing to the Town of Cheektowaga of all corrugated metal, metal slotted and reinforced concrete pipe requirements for the year of 1981. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated December 31, 1980, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of pipe to the Town for the year of 1981 as per said unit prices and as recommended by the Town Engineer be and the same hereby is awarded to the following for corrugated metal and metal slotted pipe:

Chemung Steel Corporation
P.O. Box 527
Elmira, New York 14902

6" dia. C.M.P.	$ 2.14/ft.
8" dia. C.M.P.	$ 2.83/ft.
10" dia. C.M.P.	$ 3.51/ft.
84" dia. C.M.P.	$ 56.03/ft.

Armco Steel Company
Metal Products Division
P.O. Box 166
Grand Island, New York 14072

12" dia. C.M.P.	$ 4.25/ft.
15" dia. C.M.P.	$ 5.01/ft.
18" dia. C.M.P.	$ 5.98/ft.
21" dia. C.M.P.	$ 6.95/ft.
24" dia. C.M.P.	$ 9.21/ft.
30" dia. C.M.P.	$ 11.48/ft.
36" dia. C.M.P.	$ 13.73/ft.
42" dia. C.M.P.	$ 20.99/ft.
48" dia. C.M.P.	$ 24.35/ft.
54" dia. C.M.P.	$ 27.49/ft.
60" dia. C.M.P.	$ 38.12/ft.
72" dia. C.M.P.	$ 45.85/ft.
84" dia. C.M.P.	$ 58.96/ft.
43" X 27" C.M.P.	$ 13.98/ft.
50" X 31" C.M.P.	$ 16.79/ft.
58" X 36" C.M.P.	$ 25.24/ft.
65" X 36" C.M.P.	$ 28.50/ft.
72" X 44" C.M.P.	$ 31.68/ft.
43" X 27" Paved C.M.P.	$ 17.86/ft.
50" X 31" Paved C.M.P.	$ 20.76/ft.
58" X 36" Paved C.M.P.	$ 29.93/ft.
65" X 36" Paved C.M.P.	$ 33.76/ft.
72" X 44" Paved C.M.P.	$ 37.52/ft.
12" - 2½" Slotted Drain	$ 18.16/ft.
12" - 6" Slotted Drain	$ 23.88/ft.
12" Band	$ 10.20

Kans Supply Company
1971 Gunnville Road
Lancaster, New York

15" R.C.P. - Cls. III	$ 6.10/ft.
15" R.C.P. - Cls. IV	$ 6.10/ft.

No. 4

Item No. 19 Cont'd.

Kans Supply Company (Continued)

18" R.C.P. - Cls. III	$ 7.65/ft.
18" R.C.P. - Cls. IV	$ 8.20/ft.
21" R.C.P. - Cls. III	$ 9.45/ft.
21" R.C.P. - Cls. IV	$ 10.50/ft.
42" R.C.P. - Cls. III	$ 32.60/ft.
42" R.C.P. - Cls. IV	$ 36.00/ft.

Great Lakes Pipe Company
1705 Union Road
West Seneca, New York 14224

24" R.C.P. - Cls. III	$ 11.49/ft.
24" R.C.P. - Cls. IV	$ 13.09/ft.
30" R.C.P. - Cls. III	$ 15.49/ft.
30" R.C.P. - Cls. IV	$ 17.71/ft.
33" R.C.P. - Cls. III	$ 17.93/ft.
33" R.C.P. - Cls. IV	$ 18.77/ft.
36" R.C.P. - Cls. III	$ 21.50/ft.
36" R.C.P. - Cls. IV	$ 24.58/ft.
48" R.C.P. - Cls. III	$ 39.53/ft.
48" R.C.P. - Cls. IV	$ 45.64/ft.
54" R.C.P. - Cls. III	$ 45.09/ft.
54" R.C.P. - Cls. IV	$ 50.19/ft.
60" R.C.P. - Cls. III	$ 54.25/ft.
60" R.C.P. - Cls. IV	$ 61.17/ft.
66" R.C.P. - Cls. III	$ 74.50/ft.
66" R.C.P. - Cls. IV	$ 87.60/ft.
72" R.C.P. - Cls. III	$ 84.13/ft.
72" R.C.P. - Cls. IV	$109.00/ft.
84" R.C.P. - Cls. III	$122.00/ft.
84" R.C.P. - Cls. IV	$149.38/ft.

*SEE NEXT PAGE FOR LETTER OF BID AWARD FROM TOWN ENGINEER.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

January 29, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Corrugated Metal, Metal Slotted Drain and Reinforced Concrete Pipe Bid Award

Gentlemen:

At the Regular Town Board Meeting of December 15, 1980 bids were received and publicly opened for the purchase of corrugated metal, metal slotted and reinforced concrete pipe in various sizes for the year of 1981. Due to the large quantity of items that were bid, the lowest bidders in each item are listed on the attached resolution. Their bid items cover each unit price for fifty eight (58) different sizes of pipe.

It is, therefore, recommended that the bid be awarded to the attached listed bidders for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

Steven T. Marcynski

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 19 Cont'd.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 20 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a few residents live in the vicinity of the new French Road/ Towers Boulevard traffic control signal that are visually handicapped, AND

WHEREAS, these persons desire to be able to cross this intersection safely, AND

WHEREAS, our consulting engineers, McFarland-Johnson Engineers Inc., were requested to add an audible signal to operate in conjunction with the traffic light to assist the sightless residents, AND

WHEREAS, the consulting engineers have proposed two (2) audible pedestrian signals be installed, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 to the contract for the signalization of French Road/Towers Boulevard be increased in the amount of $2,116.00 to be paid to the contractor, Tri-City Electric Company, Inc., AND, BE IT FURTHER

RESOLVED, that the Supervisor be authorized to sign said Change Order on behalf of the Town, AND, BE IT FURTHER

RESOLVED, that the contract completion date be extended from January 2, 1981 (150 days) to January 23, 1981 as recommended by our consulting engineers.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilman Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, Arnold A. Paolini, President of Tri-City Electric Company Inc., 1346 South Park Avenue, Buffalo, New York, signed an agreement on August 4, 1980 with the Town of Cheektowaga to install a traffic control signal at the French Road/Towers Boulevard intersection, AND

WHEREAS, the agreement specifies a fully complete project within 150 consecutive calendar days, or agrees to pay liquidation damages of $50.00 for each consecutive day until fully complete, AND

WHEREAS, a Change Order was issued to install audible pedestrian signals for visually handicapped persons, AND

WHEREAS, our Consulting Engineers, McFarland-Johnson Engineers, Inc. recommended to extend the completion time of the project from January 2, 1981 (150 days) to January 23, 1981 as a result of this Change Order, said extension was approved by Town Board resolution, AND

WHEREAS, our Consulting Engineers, in a letter dated January 27, 1981, have also recommended to enforce this penalty clause or withdraw the contract due to Tri-City Electric Company's poor performance, NOW, THEREFORE, BE IT

Item No. 21 Cont'd.

RESOLVED, that the penalty clause may be enforced and that $50.00 per day be withheld from the total contract price for each day beyond January 23, 1981 until completion and acceptance by the Consulting Engineers, AND, BE IT FURTHER

RESOLVED, that the Town Clerk be directed to forward one (1) certified copy of said resolution to Tri-City Electric Company, Inc., 1346 South Park Avenue, Buffalo, New York 14220.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, it was necessary to secure permits from Conrail for the construction of collector sewers in Sanitary Sewer District #8 within railroad right-of-ways, AND

WHEREAS, three (3) permits, as requested, were submitted by Conrail in their letters of January 16, 1981 to the Town Engineer, which permits require execution by the Town together with payment of fees, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor on behalf of this Town Board, acting as the Board of Managers of Sanitary Sewer District #8, sign the agreements with Conrail, AND, BE IT FURTHER

RESOLVED, that the Accounting Department issue checks in the amount of $7,740.00, $1,200.00 and $1,200.00 payable to Conrail to satisfy the fee requirement of the agreements.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, it was necessary to secure a permit from Conrail for construction of the Walden Avenue Storm Sewer Project, Phase I, within railroad right-of-way, AND

WHEREAS, a permit was submitted by Conrail in their letter of December 1, 1980 to the Town Engineer, which permit requires execution by the Town, together with payment of a fee, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, on behalf of this Town Board, sign the agreement with Conrail for the Walden Avenue Storm Sewer Project, Phase I, AND BE IT FURTHER

RESOLVED, that the Accounting Department issue a check in the amount of $350.00 payable to Conrail to satisfy the fee requirement of the agreement.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS the County of Erie has submitted to the Town of Cheektowaga, a snow removal and ice control contract covering various highways in the Town of Cheektowaga for the years 1980/1981, and

Item No. 24 Cont'd.

WHEREAS, said agreement is similar to prior agreements which have been submitted to the Town on an annual basis and which provide certain rates to be charged by the Town to the County for such snow removal and control of highways, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and is hereby authorized to execute said contract on behalf of the Town of Cheektowaga, a copy of which is annexed hereto and made a part thereof.

*SEE NEXT PAGES FOR SNOW REMOVAL AND ICE CONTROL CONTRACT.

THIS AGREEMENT made and entered into as of the 1st day of November, 1980, by and between the COUNTY OF ERIE, a municipal corporation organized under the Laws of the State of New York, maintaining its offices at 95 Franklin Street, Buffalo, New York, and the TOWN OF CHEEKTOWAGA, a municipal corporation of the State of New York in Erie County hereinafter referred to as MUNICIPALITY.

W I T N E S S E T H :

FIRST: The Municipality hereby agrees to remove snow, to sand, and to control ice and snow on certain County Roads, hereinafter defined; and, in implementing such removal and control, to erect and remove its own snow fences where it deems desirable, all at an annual rate and for the agreed consideration of SIX HUNDRED FIFTY DOLLARS ($650.00) per Lane Mile.

SECOND: A "Lane Mile" hereunder is defined as a portion of any County Road identified on Exhibits A and B, attached hereto and hereby made a part hereof, which is one mile long and of sufficient width to allow the safe passage of an automobile. Shoulders, median strips and short widened sections designed for intersection turning lanes shall not be considered in the calculation of the number of Lane Miles to be maintained under this Agreement. All County Roads shall be considered to be at least two lanes wide for such purposes. The number of Lane Miles for which compensation shall be paid hereunder is as set forth on Exhibit A.

THIRD: The schedule and map of County Roads which are affected by this Agreement are attached hereto and marked Exhibit A and Exhibit B respectively.

RECEIVED
[illegible]
Richard M. Molloski, Town Clerk

No. 4

FOURTH: The Municipality hereby agrees to indemnify and hold harmless the County of Erie from all claims, demands, suits and judgments for personal injury or property damage arising out of the performance of the Municipality's obligations under this Agreement. The Municipality further agrees to maintain insurance coverage during the term of this Agreement and submit certificates of insurance in accordance with Exhibit C attached hereto. In lieu thereof, the Municipality may furnish satisfactory evidence of a self-insurance plan acceptable to the Erie County Supervisor of Insurance and the Erie County Attorney.

FIFTH: The term of this Agreement shall be for a period of one (1) year, beginning on the 1st day of November, 1980 and shall include the entire 1980-1981 winter season.

SIXTH: This Agreement is made pursuant to resolution of the Erie County Legislature adopted December 18, 1980, being Item , Resolution , Resolve of the 1980 Legislative Proceedings, and pursuant to a resolution of the Legislative Board of the undersigned Municipality, adopted at a Meeting of said Board on 2/2/81

COUNTY OF ERIE

By _____
~~Edward J. Rutkowski~~
Deputy Erie County Executive

TOWN OF CHEEKTOWAGA
MUNICIPALITY

By Kenneth J. Meyer
Its Supervisor

APPROVED AS TO CONTENT

Philip F. Franduto
Deputy Commissioner-Highways
Erie County Dept. of Public Works

Doc. No. 81-850-PW
Approved as to Form
Erie County Attorney

APR 8 1981

Assistant County Attorney

EXHIBIT "A"

TOWN OF CHEEKTOWAGA

SNOW REMOVAL ON COUNTY ROADS

. No.	Name	Miles	Lane Miles
21	William St., Pt. 3	3.03	6.06
153	Bennett	0.76	1.52
153A	Rowley	1.32	2.64
165	Cayuga Creek	1.59	3.18
193	Delavan	0.34	0.68
194	Maryvale	0.57	1.14
311	Sugar	0.48	0.96
315	Dingens	0.71	2.84
316	George Urban	2.02	4.04
316	George Urban	2.87	11.48
317	Dick	1.50	6.00
319	Indian	0.07	0.14
321	French	2.97	11.88
322	Borden	2.65	5.30
523	Como Park	2.94	5.88
201	Eggert	0.58	1.16
	Total Miles	24.40	64.90

No. 4

EXHIBIT "B"

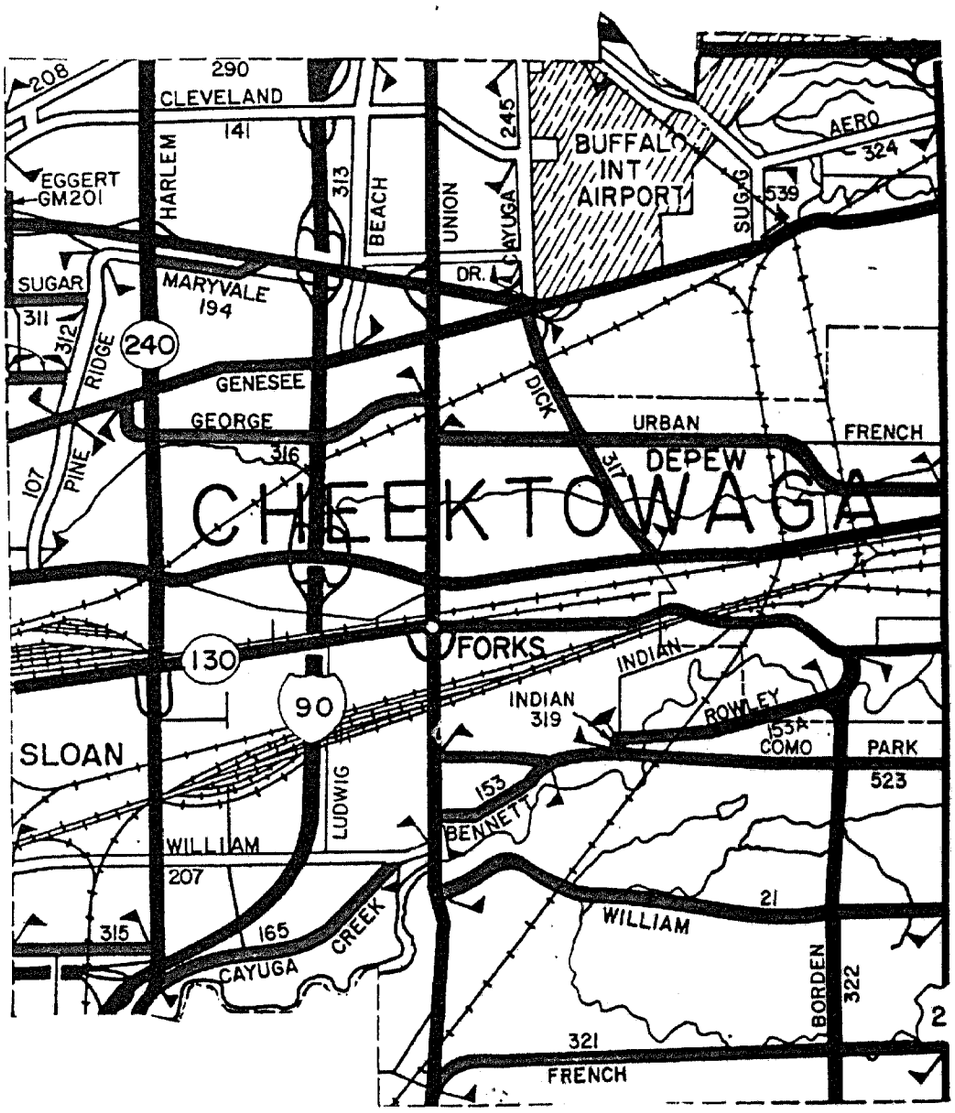

208
290
CLEVELAND
141
EGGERT
GM201
HARLEM
313
BEACH
UNION
245
CAYUGA
BUFFALO
INT
AIRPORT
SUG-6
539
AERO
324
SUGAR
311
312
RIDGE
MARYVALE
194
DR.
240
GENESEE
GEORGE
316
107
PINE
DICK
URBAN
FRENCH
317
DEPEW
CHEEKTOWAGA
130
90
FORKS
INDIAN
INDIAN
319
ROWLEY
153A
COMO
PARK
523
SLOAN
153
BENNETT
LUDWIG
WILLIAM
207
315
165
CREEK
CAYUGA
21
WILLIAM
BORDEN
322
321
FRENCH
2

EXHIBIT C

PROCEDURE REGARDING CERTIFICATES OF INSURANCE

1. CERTIFICATES OF INSURANCE

   a. Shall be submitted in triplicate.
   b. Made to the "County of Erie, Commissioner of Finance, 95 Franklin Street, Buffalo, N.Y. 14202".
   c. For "Any and all work done for the County of Erie".
   d. Executed by an insurance company and/or agency, which are licensed by the Insurance Department of the State of New York. If executed by a broker, notarized copy of authorization to bind or certify coverage must be attached.

2. MINIMUM SPECIFICATIONS, subject to modification for larger contracts:

		Each Occurrence	Aggregate
a.	Workmen's Compensation & Employers' Liability	Statutory	
b.	New York Disability	Statutory	
c.	General Liability including Contractual, Products, and Completed Operations		
	Bodily Injury	$500,000	$500,000
	Property Damage	$100,000	$300,000
	Combined Single Limit	$600,000	
d.	Automobile Liability Bodily Injury	$250,000/$500,000 (ea. pers.)	
	Property Damage	$100,000	
	Combined Single Limit	$600,000	

3. ALL CERTIFICATES SHALL BE ENDORSED VERBATIM:

   a. "The named insured agrees to indemnify and hold harmless the County of Erie and its agents and employees against all claims resulting from work performed or material furnished under any contract or permit issued by the County of Erie. (Applies to General Liability only)
   b. "In the event of any material alteration, non-renewal, or cancellation of these policies, at least sixty (60) days advance written notice shall be given to the Commissioner of Finance, 95 Franklin Street, Buffalo, N.Y. 14202 before such cancellation shall become effective."

4. If the above endorsements are separately attached, or endorsed on the reverse side of the certificate, they shall bear the longhand signature of an authorized agent of the insuring company.

5. Autograph signatures required. Rubber stamp or facsimile not acceptable.

6. Mail to Erie County Attorney, 69 Delaware Avenue, Third Floor, Buffalo, New York 14202.

Erie County Standard Certificate
(minimum requirements)

Insurance Office
716 846 8125

This certificate does not amend, extend or alter the coverages afforded by the standard form policies listed below except numbers VI & VII

I Insured:
Name TOWN OF CHEEKTOWAGA
Address BROADWAY & UNION ROAD
Zip Cheektowaga, New York 14227
Phone No. ___ ___ ____

III Companies Affording Coverages

A AETNA CASUALTY & SURETY COMPANY

B PACIFIC EMPLOYERS

C

D

II Issuing Agency:
Name E. T. CLAUSS & CO., INC.
Address 735 Delaware Ave.
Zip Buffalo, New York 14209
Phone No. 716- 886-6600

IV This is to certify that the policies listed below have been issued to the insured named above and are in force at this time

Co. Ltr.	V Type of Insurance	Policy No.	Expiration Date	Limits of Liability In Thousands	each occurr	aggregate
A	A General Liability X Comprehensive form X with products/completed operations ☐ without products/completed operations OR ☐ premises operations ☐ products/completed ☐ contractual insurance ☐ independent contractors	15SM68439FCA	3/30/81	X Bodily Inj. Property Dam. or combined single limit	$500 $100 $600	$500 $100 $600
A	B Automobile Liability X Comprehensive Form OR ☐ owned ☐ hired ☐ non-owned	15FJ18410CCA	3/30/81	or limits required by contract Combined Single Limit	 $1,000	
B	C Excess Liability X Umbrella form OR other than umbrella ☐ auto ☐ general ☐ both	XM003619	3/30/81	Bodily Injury & Property damage combined $10,000,000 S. I. R. $ 10,000		
	D Worker's comp. & E. L.	Town is self-insured: State approval sent to Erie County 6/13/80.		Statutory		
	E New York Disability	Town is not required to purchase NY Disability Ins.		Statutory		
A	F other Excess Workers Comp. Excess Employers Liab	15XC5WCA 15XC6WCA	3/30/81 3/30781	$2,000,000 Excess over $250,000 Self Insured Retention		
	G All operations for the County of Erie including contract number. Incl. Snow Removal Contracts for 1980-1981					

VI The named insured agrees to indemify and hold harmless the County of Erie and its agents and employees against all claims resulting from work preformed under any contract or permit issued by Erie County. (applicable to General Liability Insurance)

VII In the event of any material alteration, non-renewal or cancellation of these policies, at least (60) sixty days advance notice shall be given to the Commissioner of Finance, 95 Franklin Street, Buffalo, N. Y. 14202 before such change shall be effective.

VIII Name & Address of Certificate Holder & Recipient of Notice

Commissioner of Finance
95 Franklin St.
Buffalo, N. Y. 14202
Attention: Insurance Dept.

Date Issued: 1/22/81 dg

E. T. Clauss V.P.
Authorized Representative
(include firm name & address if different from Item II)

IX Certificate requested by:
Department of Public Works

FL-6

Erie County Standard Certificate
(minimum requirements)

Insurance Office
716 846 8328

This certificate does not amend, extend or alter the coverages afforded by the standard form policies listed below except numbers VI & VII

I Insured:
Name TOWN OF CHEEKTOWAGA
Address BROADWAY & UNION ROAD
Zip Cheektowaga, New York 14227
Phone No. ___ ___ ___

III Companies Affording Coverages

A AETNA CASUALTY & SURETY COMPANY

B PACIFIC EMPLOYERS

II Issuing Agency:
Name E. T. CLAUSS & CO., INC.
Address 735 Delaware Ave.
Zip Buffalo, New York 14209
Phone No. 716- 886-6600

C

D

IV This is to certify that the policies listed below have been issued to the insured named above and are in force at this time

V Type of Insurance	Policy No.	Expiration Date	Limits of Liability In Thousands		
A General Liability X Comprehensive form ☐ with products/completed operations ☐ without products/completed operations OR ☐ premises operations ☐ products/completed ☐ contractual insurance ☐ independent contractors	15SM68439FCA	3/30/81	X Bodily Inj. Property Dam. combined single limit	each occurr $500 $100 $600	aggregate $500 $XXX $100 $600
A Automobile Liability X Comprehensive Form OR ☐ owned ☐ hired ☐ non-owned	15FJ18410CCA	3/30/81	or limits required by contract Combined Single Limit	 $1,000	
B Excess Liability X Umbrella form OR other than umbrella ☐ auto ☐ general ☐ both	XM003619	3/30/81	Bodily Injury & Property damage combined $10,000,000 S. I. R. $ 10,000		
D Worker's comp. & E. L.	Town is self-insured: State approval sent to Erie County Statutory 6/13/80.				
F New York Disability	Town is not required to purchase NY Disability Ins. Statutory				
A Other Excess Workers Comp. Excess Employers Liab	15XC5WCA 15XC6WCA	3/30/81 3/30/81	$2,000,000 Excess over $250,000 Self Insured Retention		

(All operations for the County of Erie including contract number. Incl. Snow Removal Contracts fo 1980-1981

VI The named insured agrees to indemify and hold harmless the County of Erie and its agents and employees against all claims resulting from work preformed under any contract or permit issued by Erie County. (applicable to General Liability Insurance)

VII In the event of any material alteration, non-renewal or cancellation of these policies, at least (60) sixty days advance notice shall be given to the Commissioner of Finance, 95 Franklin Street, Buffalo, N. Y. 14202 before such change shall be effective.

VIII Name & Address of Certificate Holder & Recipient of Notice

Commissioner of Finance
95 Franklin St.
Buffalo, N. Y. 14202
Attention: Insurance Dept.

Date Issued: 1/22/81 dg

E. T. Clauss V. P.
Authorized Representative
(include firm name & address if different from Item II)

IX Certificate requested by:
Department of Public Works

FC-6

Erie County Standard Certificate
(minimum requirements)

Insurance Office
716 846 8328

This certificate does not amend, extend or alter the coverages afforded by the standard form policies listed below except numbers VI & VII

I Insured:
Name TOWN OF CHEEKTOWAGA
Address BROADWAY & UNION ROAD
Zip Cheektowaga, New York 14227
Phone No. ___ ___ ____

II Issuing Agency:
Name E. T. CLAUSS & CO., INC.
Address 735 Delaware Ave.
Zip Buffalo, New York 14209
Phone No. 716- 886-6600

III Companies Affording Coverages

A AETNA CASUALTY & SURETY COMPANY

B PACIFIC EMPLOYERS

C

D

IV This is to certify that the policies listed below have been issued to the insured named above and are in force at this time

Type of Insurance	Policy No.	Expiration Date	Limits of Liability in Thousands		
A General Liability X Comprehensive form X with products/completed operations X without products/completed operations OR ☐ premises operations ☐ products/completed ☐ contractual insurance ☐ independent contractors	15SM68439FCA	3/30/81	X Bodily inj. Property Dam. or combined single limit	each occurr $500 $100 $600	aggregate $500 $100 $600
B Automobile Liability X Comprehensive Form OR ☐ owned ☐ hired ☐ non-owned	15FJ18410CCA	3/30/81	or limits required by contract Combined Single Limit	$1,000	
C Excess Liability X Umbrella form OR other than umbrella ☐ auto ☐ general ☐ both	XM003619	3/30/81	Bodily injury & Property damage combined $10,000,000 S. I. R. $ 10,000		
D Worker's comp. & E. L.	Town is self-insured: State approval sent to Erie County 6/13/80.				
E New York Disability	Statutory Town is not required to purchase NY Disability Ins.				
F Other Excess Workers Comp. Excess Employers Liab	15XC5WCA 15XC6WCA	3/30/81 3/30/81	Statutory $2,000,000 Excess over $250,000 Self Insured Retention		

(All operations for the County of Erie including contract number. Incl. Snow Removal Contracts for 1980-1981

VI The named insured agrees to indemify and hold harmless the County of Erie and its agents and employees against all claims resulting from work preformed under any contract or permit issued by Erie County. (applicable to General Liability Insurance)

VII In the event of any material alteration, non-renewal or cancellation of these policies, at least (60) sixty days advance notice shall be given to the Commissioner of Finance, 95 Franklin Street, Buffalo, N. Y. 14202 before such change shall be effective.

VIII Name & Address of Certificate Holder & Recipient of Notice

Commissioner of Finance
95 Franklin St.
Buffalo, N. Y. 14202
Attention: Insurance Dept.

Date Issued: 1/22/81 dg

Authorized Representative
(include firm name & address if different from Item II)

IX Certificate requested by:
Department of Public Works

PC-6

No. 4

Item No. 24 Cont'd.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Pack 618 of the Cub Scouts of America will hold their annual Family Picnic at Losson Road Park on Sunday, August 23, AND

WHEREAS, Cub Scout Pack 618 has requested permission of the Town to utilize Losson Road Park for their Father-Son overnight campout from Saturday, August 22nd to Sunday, August 23rd, AND

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed," NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to Pack 618 of the Cub Scouts of America for the use of Losson Road Park only on August 22, 1981, AND, BE IT

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief of Police and to the Director of the Facilities Department.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS the Town Board retained the services of Ernest A. Holfoth, CPCU,ARM during the year 1980, and

WHEREAS the Town Board is desirous of continuing the risk management services of this consultant during 1981, NOW, THEREFORE, BE IT

RESOLVED that Ernest A. Holfoth be retained for the year 1981 at a monthly fee of $1,500.00, chargeable to General Fund Account No. A1910.451 Insurance Consultation.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS there presently exist three (3) vacancies for the position of Police Officer in the Cheektowaga Police Department, and

WHEREAS candidates appearing on the Erie County Civil Service list of eligibles for this position have been canvassed and interviewed and recommendations

Item No. 27 Cont'd.

for appointment have been made, NOW, THEREFORE, BE IT

RESOLVED that the following named individuals be and hereby are appointed to the position of Police Officer, effective February 3, 1981, at a salary in accordance with the current bargaining agreement in effect between the Town of Cheektowaga and the Cheektowaga Police Club:

Gerald F. Jankowski

Kenneth L. Jezioro

Daniel A. Smith

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 28 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that Virginia Carlin be rehired by the Cheektowaga Department of Senior Services for the year 1981 as a part-time recreation attendant at the rate of $3.50 an hour, retroactive to January 1, 1981, subject to 1981 hourly adjustments.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS a temporary vacancy for the position of Recreation Instructor exists in the Recreation Department, and

WHEREAS this temporary vacancy has been posted in accordance with the bargaining agreement currently in effect between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, and

WHEREAS the Recreation Director has reviewed all bids received for this temporary vacancy as a result of the above posting, and has made his recommendation to the Town Board for appointment to this position, NOW, THEREFORE, BE IT

RESOLVED that Carol Bannister, of , Cheektowaga be and hereby is appointed to the temporary position of Recreation Instructor in the Recreation Department, at a salary in accordance with the above mentioned bargaining agreement; said appointment effective Tuesday, February 3, 1981, and BE IT FURTHER

RESOLVED that Carol Bannister is granted a leave of absence from her permanent position of Clerk Typist in the Assessor's Office, while serving in the above temporary position; said leave of absence shall be to June 15, 1981.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

NO. 4

Item No. 30 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW THEREFORE BE IT,

RESOLVED that the following be and hereby are hired under the worksites specified and positions listed below, at the salary rate as specified, and be it further,

RESOLVED that they will be placed on the Cheektowaga payroll. Their pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the Department Head.

Clerk-Typist at Camp Fire of Buffalo and Erie County at a salary of $3.5714/hour

Sharon Nassivera

Cheektowaga, New York 14225
Social Security

Recreation Instructor at Valley Community Association at a salary of $3.90/hour

James Domin

Cheektowaga, New York 14225
Social Security

Custodian at the Expressway YMCA at a salary of $3.4899/hour

Kulka, Richard

Cheektowaga, New York 14225
Social Security

Recreation Aide at the Expressway YMCA at a salary of $3.50/hour

Fechter, Julie

Cheektowaga, New York 14225
Social Security

Receptionist at Expressway YMCA at a salary of $3.50/hour

Stanley, Robin

Cheektowaga, New York 14225
Social Security Number

Campaign Assistant at the United Way at a salary of $5.0549/hour

Kozma, Joseph

Cheektowaga, New York 14225
Social Security Number

Clerk at the Boy Scouts of America at a salary of $3.5714/hour

Booker, Martha

Cheektowaga, New York 14225
Social Security Number

Aide Trainee at the In-Home Support Services at a salary of $4.1026/hour

Bartel, Eleanor

Cheektowaga, New York 14225
Social Security Number

No. 4

Item No. 30 Cont'd.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that Monica Lullia of be hired as a program aide for the Cheektowaga Youth Bureau's Adapted Recreation Program for Developmentally Disabled Youth at the rate of $4.00 per hour.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, John F. Malloy of Main Hurdman & Cranstoun, Town Accountants, has suggested that a policy of reviewing all resolutions pertaining to hiring, capital projects and budget transfers for availability of funds be adopted, AND

WHEREAS, Mr. Malloy also suggests that such a review be performed by the "Bookkeeper to the Supervisor" except that all "HUD-CDBG" resolutions be also reviewed by the Director of Community Development, AND

WHEREAS, upon clearance by the above individuals, the following clause shall be added to each resolution by the Bookkeeper to the Supervisor: "Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor", NOW, THEREFORE, BE IT

RESOLVED that the above said policy be and hereby is adopted by the Town Board effective immediately.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 33 Declaration of policy regarding personnel, capital projects, and budget transfers.
This item was withdrawn.

Item No. 34 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, there exists a need for an office for the bookkeeper to the Supervisor, AND

WHEREAS, preliminary design work and construction estimates were administered by the Town's Engineering Department and a preliminary cost of $9,620.00 was estimated, AND

WHEREAS, funds are available from the Federal Revenue Sharing Fund due to an unexpected higher 1981 appropriation, AND

Item No. 34 Cont'd.

WHEREAS, the above project be funded from the Federal Revenue Sharing Fund at an amount not in excess of $9,260.00, NOW, THEREFORE, BE IT

RESOLVED that the above funding of the project be and hereby is adopted by the Town Board.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 35 Adoption of Personnel Policy Handbook for full-time, non-union employees.
This item was withdrawn.

Item No. 36 Adoption of Personnel Policy Handbook for non-union, part-time, seasonal and temporary Town Employees.
This item was withdrawn.

Item No. 37 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved and made a part hereof:

FUND	FROM	AMOUNT	TO
GENERAL FUND	A.7310.467(Youth Services)	$ 70.00	A.7310.200 (Youth-Office Equipment)
GENERAL FUND	A.7140.161 (Recreation Supervisor)	7,500.00	A.7140.160 (Recreation-Sr. Recreation Supervisor.
H.U.D.-C.D.B.G.	4-C-0.0 (Contingency)	2,814.09	Chapel Avenue Drainage
H.U.D.-C.D.B.G.	435117 (Contingency)	23,125.83	435112 (Chapel Ave.-Drainage)

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 38 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to February 2nd, 1981 are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NOS FROM TO	AMOUNT
GENERAL FUND	10003-10143,10144-10208, 18723-18835, 18718	$ 105,103.27
SPECIAL DISTRICT	10003-10045, 08202	33,098.00
HIGHWAY FUND	10003-10046	39,738.14

Item No. 38 Cont'd.

FUND	CHECK NOS FROM TO	AMOUNT
SPECIAL ASSESSMENT FUND	35	$ 3,623.25
CAPITAL FUND	000416-000418	236,360.08
TRUST & AGENCY FUND	00934-00935	1,071.65
H.U.D.-C.D.B.G. FUND	000304-000305, 288-289 VOID	15,820.49
PART TOWN FUND	000377-000382	117.00
DEBT SERVICE FUND	113-119,120-122, 123	78,462.00
FEDERAL REVENUE SHARING FUND	692	4,175.75
H.U.D. REHABILITATION GRANT	105-106	1,560.00
		$ 519,129.63

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 39 Building Permits.
Received and filed.

Item No. 40 Chief of Police: Copy of letter sent to New York State Department of Labor regarding reimbursement for bullet proof vests.
Received and filed.

Item No. 41 Justice Court: Annual Justice Report.
Received and filed.

V. GENERAL COMMUNICATIONS

Item No. 42 Seitz & Seitz, Attorneys: Letter regarding overflow of waters on property adjacent to 230 W. Grand Blvd.
Copies of this correspondence were sent to Supervisor Meyers, Chester Bryan, Town Engineer, and Ronald Marten, Building Inspector.
This item was referred to the Engineering Department, Highway Department, and the Town Attorneys Office.

Item No. 43 William Street Citizens and Taxpayers Protective Association: Letter regarding Senior Citizens Center.
Copies of this correspondence were sent to Supervisor Meyers, Karen McAuley, Council Secretary.
This item was received and filed.

Item No. 44 Cheektowaga Democratic Town Committee: Letter regarding Senior Citizens Center.
A copy of this correspondence was sent to Karen McAuley, Council Secretary.
This item was received and filed.

Item No. 45 Letter from Mrs. Magdaline Misztal: Curbing of the flow of pornography in Town.
Copies of this correspondence were sent to Supervisor Meyers, James Kirisits, Town Attorney; Theodore DeFedericis, Chief of Police; and Karen McAuley, Council Secretary.
This item was received and filed.

Item No. 46 Verified Complaint: Frank & Gertrude Kopacz vs. County of Erie, Town of Cheektowaga.
Copies of this complaint were sent to James Kirisits, Town Attorney; Supervisor Kenneth Meyers; E.T. Clauss, Insurance Carrier; Alfred Wnek, Highway Superintendent.
This item was received and filed.

Item No.47 Notice of Claim: Rita Ann Taylor & Ernest Taylor vs. Town of Cheektowaga.
Copies of this notice were sent to Supervisor Kenneth Meyers; James Kirisits, Town Attorney; E.T. Clauss, Insurance Carrier; and Theodore DeFedericis, Chief of Police.
This item was received and filed.

Item No. 48 Notice of Claim: Arthur Jones vs. Town of Cheektowaga.
Copies of this notice were sent to James Kirisits, Town Attorney; E.T. Clauss, Insurance Carrier; Theodore DeFedericis, Chief of Police; Supervisor Kenneth Meyers has a copy per Sylvia Slawiak.
This item was received and filed.

* * * * * * * * * * * * *

Motion by Councilman Swiatek, seconded by Councilman Rogowski to waive the rules to include the following item.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

* * * * * * * * * * * * *

VI. SUSPENSION OF RULES

Item No. 49 Authorize Town Attorney to take necessary steps to acquire drainage easement for construction of storm sewers north of Beach Road.

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board adopted a program for the improvement of the drainage system along Beach Road, a County Highway, and Town streets tributary to Beach Road through the use of Community Development Block Grant Funds, AND

WHEREAS, such drainage improvements will improve the character of the neighborhood and provide for the well being of its citizens, AND

WHEREAS, the Town desires to continue with the drainage improvements already started utilizing Community Development Block Grant Funds, AND

WHEREAS, a drainage easement is required for the construction of storm sewers north of Beach Road, which easement map and description has been submitted to the Town Engineer in a letter of January 28, 1981 from McFarland-Johnson Engineers, Inc., NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is directed to take the necessary steps to acquire said drainage easement.

Item No. 49 Cont'd.

Upon Roll Call.....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

Item No. 50 Motion by Councilman Swiatek, seconded by Councilman Burst to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

No. 4

MEETING NO. 4

CHEEKTOWAGA, NEW YORK
February 17, 1981

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of February, 1981 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: Councilman Frank J. Dux

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; T. DeFedericis, Chief of Police; Pat Wojcik, Recreation Supervisor-Senior Citizens; Alfred Wnek, Highway Superintendent; Mike Miecznikowski, Temporary Recreation Supervisor; Steve Marcynski, Assistant Town Engineer; Sal LaGreca, Assistant Manpower Program Director I.

I. BIDS

Item No. 2 Two (2) 3/4 ton pick-up trucks
Referred to Chester Bryan, Town Engineer.

II. PUBLIC HEARING

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon hte order of the Supervisor, such proof was duly filed. Said proposed amendments being as follows:

* *

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by deleting therefrom the follows:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
ST. BONIFACE	East-West	McNAUGHTON AVENUE	Northbound	S.E. Corner

* *

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

III. RESOLUTIONS

Item No. 4 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds through the U.S. Department of Housing & Urban Development through the Erie County Community Development Consortium for the 1979-80 program year, and

WHEREAS, application for said funds by the Town included provisions for a Housing Rehabilitation Grant Program for elderly residents in the Town's designated Neighborhood Improvement Areas, and

WHEREAS, housing rehabilitation is an eligible activity under the Community Development Block Grant Program, and

WHEREAS, said Housing Rehabilitation Grant Program was established by Town Board resolution dated March 3, 1980, and the Town has since received applications for assistance under said Program, and

WHEREAS, the Town Community Development Director has received said applications and determined that the owners of the property listed below are eligible for participation in the Housing Rehabilitation Grant Program pursuant to the guidelines established for said Program, NOW, THEREFORE, BE IT

RESOLVED that the Community Development Housing Rehabilitation Grants up to the maximum amount allowed under program guidelines are hereby approved for the owners of below listed property:

93 Hoerner Street
297 Chapel Avenue

and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga is hereby authorized to sign checks, prior to Town Board Warrant List approval, necessary for the disbursement of said grant funds, providing that the work to be performed has been performed to the satisfaction of the Town Building Inspector and that all program regulations have been complied with to the satisfaction of the Town Community Development Director, and BE IT FURTHER

RESOLVED that the Town Community Development Director is hereby given authorization to issue preliminary notices of grant approvals to applicants who qualify for said grant funds pursuant to eligibility requirements and regulations established for the Housing Rehabilitation Grant Program.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 5 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga has received a Community Development Block Grant award in the amount of $200,000 from the County of Erie for the purpose of Commercial Revitalization on Walden Avenue within the Town, and

WHEREAS, the overall purpose of the Walden Avenue Commercial Revitalization program is the beautification of Walden Avenue and the revitalization of the Walden Avenue Business District, and

WHEREAS, Community Development funds may be used for rehabilitation and revitalization of commercial properties, and

WHEREAS, said grant includes provisions for award of Facade Improvement Grants to owners of commercial properties along Walden Avenue, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and

Item No. 5 cont'd

hereby is authorized to enter into an agreement with the property owner listed below for the purpose of disbursement of a Facade Improvement Grant, in a sum not to exceed $1,500.00:

S. Anthony DiMillo

and BE IT FURTHER

RESOLVED that a certified copy of this Resolution be forwarded to John Mowatt, Erie County Community Development Director, 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 6 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Town is interested in providing recreation facilities for residents in the north section of Cheektowaga, and

WHEREAS, available Town-owned land is inferior or inadequate in size or location for this purpose, and

WHEREAS, privately owned property, known as Nob Hill, is available, undeveloped and adequate in size and location for recreation development and service to residents in the north section of Town, and

WHEREAS, the Town has commissioned appraisal of said property and found the appraisal value of certain parcels to be reasonable, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney be instructed to send a Letter of Intent to Acquire to the owner of record of said parcels in Nob Hill determined to be appropriate for recreation development, and BE IT FURTHER

RESOLVED that the Town Attorney indicate in said Letter of Intent to Acquire that final acceptance is subject to fund availability.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 7 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the State University of New York at Geneseo participates in the College Work/Study Program as established under the Higher Education Act of 1965 by the United States Office of Education, and

WHEREAS, the Cheektowaga Youth Bureau is a public agency eligible for participation in the program, and

WHEREAS, federal funds will pay up to 80% of the salary of students hired under the Work/Study Program, and

WHEREAS, the remaining 20% portion shall be budgeted to the Administrative Intern Line Item (A.7310.160) at a rate of $3.35 per hour, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to execute any and all documents with the State University of New York at Geneseo that may be necessary for participation in the College Work/Study Program.

Item No. 7 cont'd

"Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor."

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 8 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, Villa Maria College participates in the College Work/Study Program as established under the Higher Education Act of 1965 by the United States Office of Education, and

WHEREAS, the Cheektowaga Youth Bureau is a public agency eligible for participation in the program, and

WHEREAS, federal funds will pay up to 80% of the salary of students hired under the Work/Study Program, and

WHEREAS, the remaining 20% portion shall be budgeted to the Administrative Intern Line Item (A.7310.160) at a rate of $3.35 per hour, NOW, THEREFORE BE IT

RESOLVED that the Supervisor is hereby authorized to execute any and all documents with Villa Maria College that may be necessary for participation in the College Work/Study Program.

"Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor."

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 9 Authorization for consulting engineer to prepare specs regarding signal at Dick Road and North Creek Drive
This item was withdrawn.

Item No. 10 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the intersection of Harlem Road and Walden Avenue is one of the busiest and most heavily travelled intersections in the Town, and

WHEREAS, the narrow, outdated construction of the intersection, and the inadequate width of the travel lanes have caused traffic congestion and contributed to traffic delays, and

WHEREAS, the heavy traffic congestion has an additional negative, adverse effect on the passage of police, fire and other emergency vehicles through the intersection, and

WHEREAS, Walden Avenue and Harlem Road are major traffic corridors which provide direct access to a major area Hospital, as well as may business establishments, including the Thruway Mall, which is the largest shopping center of its kind in the area, and

WHEREAS, the need to widen and reconstruct this intersection was recognized by the New York State Department of Transportation and placed on a construction project list for State action, and

WHEREAS, the widening and reconstruction of the Harlem-Walden intersection was removed from the New York State Department of Transportation's priority list of projects to be completed, and

Item No. 10 cont'd

WHEREAS, it now appears that it will be several more years before the New York State Department of Transportation once again gives consideration to placing this project on a priority list of projects to be undertaken, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board, realizing the serious need for the widening and reconstruction of the Harlem-Walden intersection, hereby memorializes State Assemblyman Dennis Gorski and State Senator Dale Volker to intervene on behalf of the Town of Cheektowaga and work with the New York State Department of Transportation in having the widening and reconstruction of the Harlem Road-Walden Avenue intersection placed on that State Agency's priority list of projects to be completed as soon as possible, with a tentative timetable for project initiation and completion forwarded to the Town Board as soon as is feasible.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 11 Authorization for Supervisor to sign permit re: signal at Dick Road-North Creek intersection

This item was withdrawn.

Item No. 12 Motion by Councilman Burst, seconded by Councilman Johnson

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting season for 1981. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m., March 2, 1981 for purpose of opening and reading the sealed bids.

* *

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

NEW TREES

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on March 2, 1981 at the 7:00 P.M., meeting, held at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York, for the purpose of furnishing new trees for 1981 spring planting.

Specifications for the new trees, may be picked up at the office of the Superintendent of Highways, Alfred F. Wnek, located at 3145 Union Road, Town of Cheektowaga, New York - 14227, between the hours of 8:30 A.M. and 4:00 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

RICHARD MOLESKI, TOWN CLERK
TOWN OF CHEEKTOWAGA, NEW YORK

DATED: February 10, 1981
PUBLISHED: February 19, 1981

* *

Item No. 12 cont'd

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	Councilman Dux

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 19, 1981; last publication February 19, 1981; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 20th

day of February, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK
NEW TREES

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board, on March 2, 1981, at the 7:00 P.M. meeting, held at the Town Hall, corner of Broadway and Union Roads, Town of Cheektowaga, New York, for the purpose of furnishing new trees for 1981 spring planting.

Specifications for the new trees, may be picked up at the office of the Superintendent of Highways, Alfred F. Wnek, located at 3145 Union Rd., Town of Cheektowaga, New York - 14227, between the hours of 8:30 A.M. and 4:00 P.M., Monday through Friday.

NON COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga,
New York

DATED: February 10, 1981
PUBLISHED: February 19, 1981

Item No. 13 Motion by Councilman Rogowski, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga is in need of material for one (1) Downstroke Vertical Baling Press,

NOW, THEREFORE, BE IT

RESOLVED that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said Downstroke Vertical Baling Press, in the CHEEKTOWAGA TIMES, the CHEEKTOWAGA BEE, and the BUFFALO EVENING NEWS, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 16th day of March, 1981 at 7:00 P.M., Eastern Standard Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1981 at 7:00 p.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing and installation of a Downstroke Vertical Baling Press for the Cheektowaga Youth Bureau.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: February 17, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

AFFIDAVITS - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Sedutes, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 19, 1981; last publication February 19, 1981; and that no more than six days intervened between publications.

Gladys M. Sedutes

Sworn to before me this 20th

day of February, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1981 at 7:00 p.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing and installation of a Downstroke Vertical Baling Press for the Cheektowaga Youth Bureau.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: February 19, 1981

PROOF OF PUBLICATION

Bee Publications Inc.

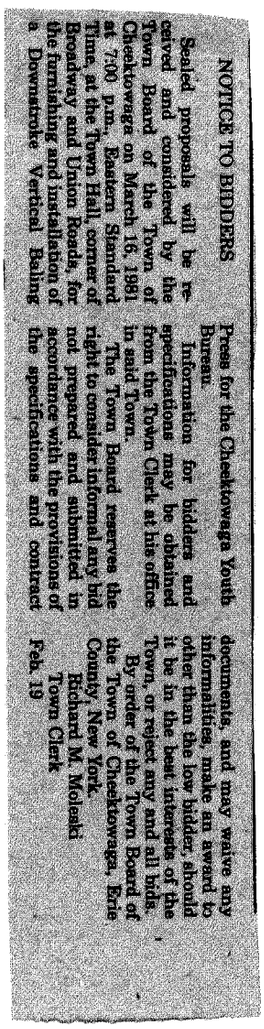
Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise

Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1981 at 7:00 p.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing and installation of a Downstroke Vertical Baling Press for the Cheektowaga Youth Bureau.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Richard M. Molenski
Town Clerk

Feb. 19

Jean Mugler being duly sworn, deposes and says that he is the Ass't to the Publisher of the Cheektowaga Bee, a public newspaper published at Williamsville, New York, that the notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 weeks, the first insertion being on the 19th day of Feb., 19 81, and the last insertion being on the 19th day of Feb., 19 81.

Subscribed and sworn to before me this 19th day of Feb., 19 81

Jean Mugler

Donna M. Yambor

Notary Public in and for Erie County

DONNA M. YAMBOR
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 19 82

Form No. 1

State of New York }
ERIE COUNTY } ss.
CITY OF BUFFALO }

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1981 at 7:00 p.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing and installation of a Down-stroke Vertical Baling Press for the Cheektowaga Youth Bureau.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that She is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once a week for ~~xxxxxxxxxx~~ weeks, the first insertion being on the 19th day of February 1981 and the last insertion being on the ~~xxxxxxxxxx~~ day of ~~xxxxxxxx~~

D. Eileen Perry

Sworn to before me this 20th day of February 1981

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

Notary Public, Erie County, N. Y.

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, it is in order that bids be advertised to cover the purchase of maintenance chemicals for the year of 1981 for the Treatment Plant, Highway and Sewer Maintenance Departments of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of maintenance chemicals for the Town of Cheektowaga for the year of 1981, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 2nd day of March, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a meeting called for that purpose.

* * * * * * * * * * * * * * * * * * * *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 2, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of maintenance chemicals for various departments of the Town of Cheektowaga for the year of 1981.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

* * * * * * * * * * * * * * * * * * * *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Zechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication February 19 1981; last publication February 19 1981; and that no more than six days intervened between publications.

Gladys M. Zechter

Sworn to before me this 20th day of February, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 2, 1981 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of maintenance chemicals for various departments of the Town of Cheektowaga for the year of 1981.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: February 19, 1981

Item No. 15 Motion by Councilman Rogowski, seconded by Councilman Burst

WHEREAS, the Town is mandated under its agreement with the New York State Department of Environmental Conservation for the maintenance of all right-of-ways under the Federally constructed Scajaquada Creek Flood Control Project, and

WHEREAS, to fulfill its obligations under said contract, the Town needs to purchase a slope cutting mower, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) rotary mower for slope cutting. Notice to Bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Eastern Standard Time, on March 16, 1981 for the purpose of properly opening and reading the sealed bids, and BE IT FURTHER

RESOLVED that the costs of said slope mower purchase shall be charged to the Federal Revenue Sharing Account.

* *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1981 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one rotary mower for slope cutting use by the Highway Department of the Town of Cheektowaga.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: February 17, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Seubert, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication February 19 1981; last publication February 19 1981; and that no more than six days intervened between publications.

Gladys M. Seubert

Sworn to before me this 20th

day of February, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1981 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Roads, for the furnishing of one rotary mower for slope cutting use by the Highway Department of the Town of Cheektowaga.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By the order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

DATED: February 17, 1981
PUBLISHED: February 19, 1981

Item No. 16 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, bids were duly received on January 19, 1981 as the result of advertisement, therefore, for the furnishing of work uniforms to the Town of Cheektowaga employees, and said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 12, 1981, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of work uniforms to the Town of Cheektowaga employees, as recommended by the Town Engineer be and the same hereby is awarded to:

Amherst Wholesalers, Inc.
3624 Sheridan Drive
Amherst, New York 14226

for:	Work Pants (sizes up to 42)	$ 8.40 each
	Work Pants (Sizes 44 and up)	9.52 each
	Shirts (long sleeve, sizes up to 17)	7.28 each
	Shirts (long sleeve, sizes 17½ and up)	8.27 each
	Shirts (short sleeve)	6.44 each
	Coveralls (long sleeve)	14.96 each

said bid being a responsible bidder meeting the requirements of the specifications.

* See next two (2) pages for copy of letter

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

February 12, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Work Uniform Bids

Gentlemen:

At the regular Town Board Meeting of January 19, 1981, bids were received and opened for the furnishing of work uniforms to Town employees as required thru the Cheektowaga Employees Association Agreement. Five (5) bidders submitted bids on six (6) items of the specifications. The totals of the bids submitted are as follows:

BIDDER	TOTAL BID
Steinwachs Safety Supply, Inc.	$13,017.50
Amherst Wholesalers Inc.	$13,145.50
Buffalo Wholesale Textile & Footware Inc.	$13,436.50
Eastern Uniform Company, Inc.	$14,230.00
United Uniforms	$14,298.50

The second low bidder was selected as we compared quality and workmanship of the brands of clothing proposed by the two (2) low bidders. We contacted a retailer who handles both brands and were informed that the brand of the second low bidder sold for $1.00 more than the low bidders brand. The difference in the two (2) low bids, divided by the units of clothing purchased, increased the cost of each unit approximately 8¢ for the better quality clothing.

It is recommended that the bid be awarded to Amherst Wholesalers, Inc., 3624 Sheridan Drive, Amherst, New York 14226 for submission of a bid meeting Town requirements.

This bid will be awarded on the basis of unit prices which are quoted as follows:

Work pants (sizes up to 42)	$8.40
Work pants (sizes 44 and up)	$9.52
Shirts (long sleeve sizes up to 17)	$7.28
Shirts (long sleeve sizes 17 1/2 and up)	$8.27
Shirts (short sleeve)	$6.44
Coveralls (long sleeve)	$14.96

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 16 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 17 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Walden Avenue Storm Sewer, Phase II, and Walden Avenue Sanitary Sewer Construction as part of the Town of Cheektowaga Community Development Block Grant Program, and the Sewer District #5 Water Pollution Contorl Abatement Program, which bids were duly received and opened at the Regular Town Board Meeting of February 2, 1981, and

WHEREAS, said bids were referred to the consulting firm of Nussbaumer & Clarke, Inc. and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated February 12, 1981, and

WHEREAS, said report recommends that the contract be awarded to Cimato Brothers, Inc. for the submission of the lowest bid complying with the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of the Walden Avenue Storm Sewer Project, Phase II, and the Walden Avenue Sanitary Sewer Reconstruction be and hereby is awarded to Cimato Brothers, Inc., 165 Hartford Road, Amherst, New York 14226 for their submission of the bid of $738,9181.75, said bid being the lowest meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the bid award is contingent upon the approval of the bid award for the Walden Avenue Storm Sewer, Phase II, Project by the U.S. Department of Housing and Urban Development, and BE IT FURTHER

RESOLVED that the bid award is also contingent upon approval of the bid award for the Walden Avenue Sanitary Sewer Reconstruction by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign the agreement with said Cimato Brothers, Inc. after approval of the bid award by these agencies, and BE IT FURTHER

RESOLVED that the Walden Avenue Storm Sewer Project is to be funded under the Community Development Block Grant funding and the Sanitary Sewer Reconstruction Project is to be funded under the Sanitary Sewer District #5 Water Pollution Control Program.

* See next two (2) pages for letter

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

February 12, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Walden Avenue Storm
Sewers, Phase II
Walden Avenue Sanitary
Sewers

Gentlemen:

At the Regular Town Board Meeting on February 2, 1981, bids were received and opened for the construction of the Walden Avenue Storm Sewer System, Phase II, and replacement of the sanitary sewers along the south side of Walden Avenue. Fourteen (14) bids were received. Totals of the bids are as follows:

Cimato Brothers, Inc.	$ 738,918.75
C.M.H. Company, Inc.	$ 818,429.00 *
Bee Line Contracting, Inc.	$ 800,762,00 *
Marin Excavating, Inc.	$ 840,075.85
Accadia Enterprises, Inc.	$ 827,081.00
Destro & Brothers Concrete Co., Inc.	$ 889,280.00 *
R. P. Myers, Inc.	$ 909,945.00
Albert Elia Building Co., Inc.	$1,048,042.91
Firstrhyme Construction, Inc.	$1,090,979.00 *
Robert Caldwell Trenching & Exc., Inc.	$1,116,502.00
Seacoast Construction Corp.	$1,192,452.00
Copece Contracting Corp.	$1,329,403.20 *
Custom Top Soil, Inc.	$1,447,301.52 *
Northern States Contracting Co., Inc.	$1,487,320.50
Engineer's Estimate	$ 803,351.00

* Corrected figure

The bids were reviewed by Nussbaumer & Clarke, Inc. with recommendations and tabulations submitted in their letter of February 12, 1981.

It is recommended that the bid be awarded to Cimato Brothers, Inc., 165 Hartford Road, Amherst, New York 14226 for their bid of $738,918.75. This

was the lowest bid meeting the requirements of the specifications. The consultants advised that Cimato Brothers, Inc. have performed this type of work on various projects in Erie County and the Town of Amherst and were found to be qualified.

The bid award includes storm sewer construction along Walden Avenue under the following prices as submitted by Cimato Brothers, Inc.

Bid A-I	- City Line to Ridge Park	$423,548.75
Bid A-2	- Storm Sewer - Ridge Park to Wanda	$57,456.00
Bid B	- Euclid Avenue Storm Sewer	$17,560.25
Bid C	- Sanitary Sewer Reconstruction	$240,353.75

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

Item No. 17 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 18 Award of bid for Phase I Sewer System Rehabilitation in S.S.D. No. 5 Service Area

This item was withdrawn.

Item No. 19 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board on February 2, 1981, received bids as the result of advertisement, therefore, for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 12, 1981, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga is awarded to Webber Trucking & Excavating Company, Buffalo Olean Road, Chaffee, New York 14030, for submission of the lowest bid meeting the requirements of the specifications as per the unit bid prices of:

Item 1	Hydraulic Backhoe	$460.00 per 8 hour day
Item 2	Tractor, loader	$220.00 per 8 hour day
Item 3	Dozer, crawler	$300.00 per 8 hour day
Item 4	Dozer, crawler	$520.00 per 8 hour day
Item 5	Dump truck, tandem	$220.00 per 8 hour day
Item 6	Tractor, landscape type	$ 54.40 per 8 hour day
Item 7	Hydraulic backhoe	$220.00 per 8 hour day
Item 8	Laborers	$120.00 per 8 hour day

and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute the agreement with said Webber Trucking & Excavating Company on behalf of the Town of Cheektowaga.

* See next page for letter

Town of Cheektowaga

TOWN HALL — BROADWAY AND UNION ROAD — CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

February 12, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing of Equipment and Operators for Public Works Projects - Award of Bid

Gentlemen:

Bids were received and opened at the February 2, 1981 Town Board Meeting for the furnishing of equipment and operators for public works projects. There were five (5) bids submitted and their totals are as follows:

1)	Webber Trucking & Excavating Co.	$29,826.40
2)	James Stoll Trenching	$31,080.00
3)	Custom Topsoil, Inc.	$32,345.00
4)	West Falls Construction	$33,960.00
5)	Parker Price Trucking	$48,318.00

The bid totals were received in order to provide a basis for bid award. Based on these totals, it is recommended that the bid be awarded to Webber Trucking & Excavating Company, Buffalo Olean Road, Chaffee, New York 14030 for their submission of the lowest bid meeting the requirements of the specifications. The contract is being awarded on the following unit prices that were bid in the specifications.

Item 1	Hydraulic backhoe	$460.00 per 8 hour day
Item 2	Tractor, loader	$220.00 per 8 hour day
Item 3	Dozer, crawler	$300.00 per 8 hour day
Item 4	Dozer, crawler	$520.00 per 8 hour day
Item 5	Dump truck, tandem	$220.00 per 8 hour day
Item 6	Tractor, landscape type	$ 54.40 per 8 hour day
Item 7	Hydraulic backhoe	$200.00 per 8 hour day
Item 8	Laborers	$120.00 per 8 hour day

Very truly yours,

TOWN OF CHEEKTOWAGA

Steven T. Marcynski
Sr. Engineer Assistant

STM:dmr

Item No. 19 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 20 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the purchase of baseball equipment for use in the Cheektowaga Recreation Department, as a result of advertisement therefor, and such bids were referred to the Director of Recreation for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to the lowest responsible bidder meeting specifications as follows: (see attached)

Laux Sporting Goods, 441 Broadway, Buffalo, New York

Jim Ludtka Sporting Goods, 3383 Harlem Road, Cheektowaga, New York

Kick Athletic Goods, Inc., 2421 Harlem Road, Cheektowaga, New York

Dekdebrun Sporting Goods, Northtown Plaza, Buffalo, New York

* See next ten (10) pages

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 2, 1981 at 7:00 p.m. Eastern Standard Time at the Town Hall, corner of Broadway and Union Road for baseball equipment.

Information for bidders and specifications may be obtained from the Town Clerk at his office in Town Hall.

The bidder agrees to make every attempt to deliver all contracted items in sixty (60) days or less from the date of order and to notify the Town of Cheektowaga Recreation Department at once in the event the manufacturer or supplier causes a delay and bidder cannot comply. Bidder may be requested to present in writing reasons for all delays.

The Town of Cheektowaga reserves the right to request samples of any or all items which are bid as "equals" to the items originally designated.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

Further, the Town of Cheektowaga reserves the right to reduce quantities, increase quantities and/or delete certain items if it deems necessary.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Richard Moleski
Town Clerk

BID ITEMS

Item 1 BATTERS HELMETS

A) Gladiator BH "Little League Approved" helmet. High impact shell, ensolite padding.

List Price each Sizes S_____

M_____

L_____

X_____

A) Laux $6.95

Item 2 CATCHERS HELMETS

A) ABC Little League Approved catchers helmet. Impact composition padding, full ear coverage, includes strap and buckle to attach mask.

A) Ludtka $10.90

B) Magregor B13 Little League Catchers helmet. Fully padded one piece molded shell. Equipped with helmet harness for any type catchers mask.

List Price each Sizes S_____

M_____

L_____

X_____

B) Kicks $8.49

Item 3 MASKS

A) Sportcraft softball mask with replaceable stretch straps.

List price each _____ A) Ludtkas $6.90

B) Premier B25 Little League approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.

List price each _____ B) Kicks $7.49

C) Premier B24 Little League approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.

List price each _____ C) Kicks $8.94

D) Gladiator GCM-W/F, side deflector flaps, full vision, elasticized web harness and soft vinyl pads.

List price each _____ D) Laux $12.95

E) Rawlings PWM-1, pro use, nylon coated wire frame, snap on padding, vinyl covering, harness with triple adjustment.

List price each _____ E) Laux $18.95

Item 4 THROAT PROTECTORS

A) Magregor B28 rugged molded vinyl with heavy foam padding. Fits any make of mask.

List price each _____ A) Kicks $2.88

Item 5 BODY PROTECTORS

A) Wilson A3250-JZ, Little League approved, adjustable neck pad, cotton padding, adjustable body straps, water repellant, vinyl bound for durability.

List price each _____ A) Ludtkas $11.50

B) Gladiator YPBR Little League approved, adjustable and replaceable body straps.

List price each _____ B) Laux $19.95

C) Wilson A3212-JR, adjustable neck pad and body straps, cotton padding, water repellant.

List price each _____ C) Kicks $12.88

D) Rawlings - Pro model, nylon twill, cotton back, ribbed padding, extended shoulder piece.

List price each _____ D) Kicks $17,48

E) Umpire Chest Protectors, Magregor

List price each B-78 _____ E) Kicks $21.88

Item 6 SHIN GUARDS

A) Rawlings 9C-Little League Approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps.

List price each _____ A) Laux $10.95

B) Rawlings 76C-1 Youth Model approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps.

List price each _____ B) Laux $12.95

C) Gladiator GLG-BR, Babe Ruth use, 11" shin plate, ultra lite padding, replaceable straps.

List price each _____ C) Laux $16.95

D) Gladiator GLG-Pro Model, double knee cap protect, 12" shin plate, ultra lite padding, replaceable straps.

List price each _____ Laux $30.95

E) Wilson A3420 shin plate, calf and ankle pad, elastic caps, shin and instep pieces, adjustable elastic straps.

List price each _____ E) Kicks $17.48

Item 7 CATCHERS GLOVES

A) Wilson A2516 double flex, leather (steer hide) split X laced webs, finger control cut out, skip crotch lacing.

List price each _____ A) Discontinued

B) Cooper 652 single flex, leather (steer hide) extended palm pro toe feature, hinged webs skip crotch lacing.

List price each _____ B) Kicks $24.48

C) Cooper 252 - Single flex leather (steer hide) pro toe feature, open style strap, leather lined.

List price each _____ C) Kicks $30.48

D) Rawlings RL-10, premium steerhide, pocket web, crotch laced high, holdster finger slot, single break heel, adjustable thumb and little finger loops.

List price each _____ Laux $47.95

Item 8 BASEBALLS

A) Wilson A1074 _____
Rawlings LLB _____ Ludtkas $24.90 Kicks $26.88
List price and make dozen _____

B) Wilson A1082 _____
Rawlings BR _____ Ludtkas $24.90
List price and make dozen _____ Laux $28.75

C) Dudley - SB12LND (softball) _____ Dekdebrun $37.12
Harwood 100 (softball) _____ Dekdebrun $35.00
Worth Red Dot (softball) _____ Kicks $39.88
List price and make dozen _____

D) Wilson A1010 _____ Ludtkas $38.50
Rawlings ROA _____ Kicks $43.40
List price and make dozen _____

E) Dudley P-12 softball _____ Dekdebrun $30.40
List price and make dozen _____

Item 9 BATS

A) Rawlings 21BE Softball wood bat

27" _____
28" _____
29" _____
30" _____
31" _____
32" _____

List price per dozen _____ Laux $35.95

B) Sportcraft XBH Softball Aluminum bat

29" _____
30" _____
31" _____
32" _____
34" _____

List price per dozen _____ Laux $123.00

C) Adirondack Models 302F & 302 JF Wood Baseball Bat

27" _____
28" _____
29" _____
30" _____
31" _____
32" _____

32" _____
33" _____
34" _____
35" _____
36" _____

List price per dozen

302F _____ Laux $73.95 Kicks $58.88
302JF _____

D) Louisville Wood Baseball Bat Models 125LL and 125

26" _____
27" _____
28" _____
29" _____
30" _____
31" _____
32" _____

31" _____
32" _____
33" _____

34" _____

35" _____

36" _____

List price per dozen

125LL _____ Kicks $57.48

125 _____ Kicks $75.88

E) Louisville 508 Little League Aluminum Baseball Bat

26" _____

27" _____

28" _____

29" _____

30" _____

31" _____

List price per dozen _____ Kicks $108.88

F) Louisville C034 Babe Ruth Aluminum Baseball Bat

31" _____

32" _____

33" _____

34" _____

List price per dozen _____ Kicks $199.88

BIDDERS: PLEASE LIST THE SIZES THAT ARE AVAILABLE IN EACH ABOVE ITEM.

Item 10 EQUIPMENT BAGS

Everlast 6890 - extra large, heavy duty army duffle utility bag to hold all types baseball equipment, heavy duty reinforced canvas material.

List price each _____ Laux $5.95

Item 11 UMPIRE INDICATORS

Champion P1, palm sized, plastic counter keeps track of balls, strikes and outs.

List price dozen _____ Ludtkas $8.60

Item 12 SCOREBOOKS

Spaulding - 25 games HARD COVER schedule (43-4551)

List price dozen _____ Kicks $18.69

Item 13 VOIT BT HEAVY DUTY T-BALL SETS

List price per set _____ Laux $26.95

Item 14 BASES

A) EVERLAST model #6815 Nylon and Canvas hardball base

List price per set _____ Kicks $36.88

B) BBP CORBETT HOLLYWOOD HARDBALL BASE Nylon and polyester pad

List price per set _____ Dekdebrun $82.80

C) EVERLAST model #6830 Nylon hardball base

List price per set _____ Kicks $25.88

D) EVERLAST #6850 Nylon softball base

List price per set _____ Kicks $23.19

E) EVERLAST #6861 Home Plate

List price per set _____ Dekdebrun $13.20

F) EVERLAST #6867 Pitchers Plate

List price per set _____ Kicks $9.88

SUPPLEMENT

Bidder please note following additions:

ITEM 1 B) ABC-BHC little league approved batters helmets
High impact shell

List price each Sizes S_____

M_____

L_____

X_____ Ludtkas $7.75

ITEM 4 B) Cooper TP molded of high density polyethylene.
Laces to Cooper masks.

List price each _____ Kicks $2.74

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies as to its own organization, under penalty or perjury, that to the best of knowledge and belief:

1. The price in this bid has been arrived at independenty without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

SPECIFICATIONS AND BID PROPOSALS

Pursuant to and in accordance with the advertisement for bids dated January 5, 1981, and the instruction to bidders relating thereto, the undersigned offers to furnish all equipment as described in the specifications and deliver to the Cheektowaga Recreation Department located in the Cheektowaga Recreation Center, 2600 Harlem Road, Cheektowaga, New York 14225.

Delivery_____days after receipt of order.

SIGNED_____

TITLE_____

COMPANY_____

ADDRESS_____

_____

PHONE_____

Item No. 20 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 21 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, bids were duly received on February 2, 1981 as the result of advertisement, therefore, for the furnishing and installation of mobile and portable radios for the Sanitary Sewer Maintenance Department, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 12, 1981, NOW, THEREFORE BE IT

RESOLVED that the contract for the furnishing and installation of the following items as recommended by the Town Engineer be and the same is hereby awarded to Motorola Communications & Electronics, Inc., 388 Evans Street, Williamsville, New York 14221, said bid being the lowest responsible bid meeting the requirements of the specifications.

Item I

Mobile vehicle radios at $675.00 each or thirteen (13) mobile vehicle radios at $8,775.00.

Item II

Portable hand held radios at $837.40 each or two (2) for $1,674.80

Item III

Repeater control stations - one (1) desk top controller station at $456.00 and one (1) base station repeater at $956.25, a total of $1,402.25, for a total of all three (3) items of $11,862.05.

Trade-in of inoperable radios in vehicles #51 and #58 at $105.00 each for a total of $210.00, a net bid price of $11,652.05.

* See next two (2) pages for letter

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

HESTER L. BRYAN, P.E.
TOWN ENGINEER
716–686-3448

February 12, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Mobile and Portable Radios for the Sewer Maintenance Department

Gentlemen:

Attached for your consideration is a resolution to award the purchase and installation of mobile and portable radios for the Sanitary Sewer Maintenance Department. Five (5) bids were received and are as follows:

BIDDER	BASE BID	LESS TRADE-IN
Motorola Communications & Electronics Inc.	$11,862.05	$10,637.05
Apollo 2-Way Radios Inc.	$11,870.00	$11,755.00
G.E. Communications Div.	$13,617.00	$13,342.00
Mueller Sound	$16,414.85	$16,219.85
F.M. Communications Inc.	$17,771.00	$16,791.00

Bids were reviewed with Howard Seyse, the Town radio serviceman, for compliance to the specifications and reliability of the brand names proposed by the bidders. He recommended the low bid of Motorola Communications & Electronics Inc. as they are a top named brand.

The bid proposal requested a trade-in value of the existing V.H.F. radios for possible trade-in. Howard Seyse is aware of the condition of the existing radios and recommended trade-in of two (2) radios. Asst. Chief Gruber has requested five (5) existing radios be transferred to the Police inventory for a total trade-in value of $525. Highway Superintendent Alfred Wnek also requested four (4) radios for the highway vehicles at a trade-in value of $490.

The low bidder submitted an optional type of desk top transmitter for the Engineering Department that saved $500 in the total bid. The optional type is an acceptable substitute for the antenna type transceiver that was specified.

It is, therefore, recommended that the bid be awarded to Motorola Communications & Electronics Inc. for submitting the lowest responsible bid.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 21 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 22 Motion by Councilman Swiatek, seconded by Councilman Johnson

WHEREAS, Officer Richard Thurnherr was assigned to the Detective Bureau on August 20, 1980 to fill a vacancy created by the retirement of Detective Paul Mercurio, and

WHEREAS, Officer Thrunherr will have completed his six-month probationary period on February 20, 1981, and

WHEREAS, the Chief of Police, Theodore DeFedericis, has commended Officer Thurnherr for his performance during his probationary period and recommended his permanent appointment to the position of Detective, NOW, THEREFORE, BE IT

RESOLVED that Officer Thurnherr be and hereby is permanently appointed to the position in the Cheektowaga Police Department, effective February 20, 1981, at the current rate of pay for that position.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 23 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, due to a retirement, there exists a vacancy in the Cheektowaga Police Department for the position of Lieutenant, and

WHEREAS, Officer Rober McIntosh is first on the current certified Civil Service List for the position of Police Lieutenant, NOW, THEREFORE, BE IT

RESOLVED that Officer Roger McIntosh, be and hereby is appointed to the position of Police Lieutenant, at a salary in accordance with the current bargaining agreement between the Town of Cheektowaga and the Captains & Lieutenants Association; said appointment effective immediately.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 24 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that the following be and hereby are hired under the worksites specified and positions listed below, at the salary rate as specified, and BE IT FURTHER

RESOLVED that they will be placed on the Cheektowaga payroll. Their pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Director of Volunteer Services at the Buffalo Area Council on Alcoholism at a salary of $4.1346 an hour

Dobmeier, Eleanor Cheektowaga, New York 14225

Item No. 24 cont'd

Secretary/Bookkeeper at the Restoration Society, Inc. at a salary of $4.1827 an hour

King, Sun-Ok Cheektowaga, New York 14225

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 25 Motion by Councilman Burst, seconded by Supervisor Meyers

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of federal funds to conduct a Youth Community Conservation and Improvement Project, (YCCIP), and

WHEREAS, the YCCIP is a Title IV program of the Manpower Administration, with the purpose of providing employment and training to young adults, ages 16 through 19, who are unemployed, economically disadvantaged and have dropped out of school, and

WHEREAS, funds for this action are available from the YCCIP budget line number A.6260.100, i.e. participant wages, and have been approved by the Bookkeeper to the Supervisor, NOW, THEREFORE, BE IT

RESOLVED that the below listed individual be hired to participate in said program at the rate of $3.35 per hour, the current minimum wage:

--Philip Turello

Depew, New York 14043

"Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 26 Motion by Councilman Swiatek, seconded by Councilman Burst

BE IT RESOLVED that the individual listed below, be hereby terminated as a participant of the Youth Community Conservation and Improvement Project (YCCIP), retroactive to December 3, 1980:

William Long

Cheektowaga, New York 14227

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved.

GENERAL FUND

FROM	AMOUNT	TO
A.1990.480 (Contingency)	$ 725.00	A.3120.225 (Police-Radios)
A.1990.480 (Contingency)	13,000.00	A.1430.449 (Town Medical Exams)

Item No. 27 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 28 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 17, 1981 are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NOS.	AMOUNT
GENERAL FUND	10009,10090,18594,18596-18599 18714,18719-18722,18832-18834, 18836-18850,10209-10357	$ 845,038.87
SPECIAL DIST. FUND	8127-8128,8172-8173,8187,8201, 8203-8209,10012-10071	449,914.70
HIGHWAY FUND	6051-6052,6078-6083,10047-10089	184,291.76
F.R.S. FUND	691,10107-10120	17,259.55
CAPITAL FUND	419-433	259,752.00
TRUST AND AGENCY FUND	930-933,936,948-950	186,344.86
H.U.D.-C.D.B.G.FUND	306-307	19,593.08
PART TOWN FUND	365-367,372-376,383	58,784.50
H.U.D. - N.P.P. FUND	107	1,435.00
		$2,022,414.32

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 29 Town Historian's Annual Report
Received and Filed.

Item No. 30 Health report for January, 1981
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 31 Letter and resolution from Cheektowaga Chamber of Commerce
Copies were sent to: Jim Matecki, Director of Facilities Department.
Received and Filed.

Item No. 32 NOTICE OF CLAIM - Betty Zelaski vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Alfred Wnek, Highway Superintendent.
Received and Filed.

Item No. 33 SUMMONS - Frank & Gertrude Kopacz vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 34 SUMMONS & COMPLAINT - Bella Vista Development vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Ron Marten, Building & Plumbing Inspector; Council Office Secretary.
Received and Filed.

Item No. 35 SUMMONS & NOTICE - Richard Piontek vs E. Petrocy, Town of Cheektowga, and County of Erie.
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman Burst to suspend the rules to include the following items.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 36 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga desires to conduct a planning study to develop a short and long-range traffic improvement plan, and

WHEREAS, the plan will document support and justification for upgrading existing traffic signal installtions, identify congested and hazardous locations where new traffic signals on roadway improvements are needed, and suggest project priorities in a short and long-range implementation schedule, and

WHEREAS, the plan will identify Federal and State funding sources to implement the plan and provide the necessary documentation and support to initiate funding applications, NOW, THEREFORE, BE IT

RESOLVED that the Town Board petition the County of Erie Department of Public Works to take the necessary steps to secure Federal funding for the desired planning study, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga shall provide up to 20 percentum of $20,000 of the estimated $100,000 study cost as the required local share to match an 80 percentum Federal share.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 37 Motion by Supervisor Meyers, seconded by Councilman Rogowski

BE IT RESOLVED that a roadway, which is more particularly described in the face of the attached deed, be and hereby is accepted as a town highway, subject to the provisions of the attached letters of (a) the Superintendent of Highways, dated February 13, 1981, and (b) the committment of Victor Reinstein, the owner-developer of said land, dated February 17, 1981, and BE IT FURTHER

Item No. 37 cont'd

RESOLVED that the aforementioned highway be known and designated as POSTAL DRIVE, and BE IT FURTHER

RESOLVED that upon the satisfaction of any and all provisions contained in the attachments hereto, the Town Attorney's Office be and hereby is directed to record the Deed of Conveyance of POSTAL DRIVE in the Erie County Clerk's Office.

* See next five (5) pages for letters, correspondence, etc.

Warranty Deed with Lien Covenant
Laws of 1917, Chap. 681, Laws of 1954

David F. Williamson Co., Inc., Publishers
Buffalo, New York

This Indenture,

Made the 26th *day of* January *, Nineteen Hundred and* Eighty-one.

Between VICTOR REINSTEIN, residing at in the Town of Cheektowaga, County of Erie and State of New York,

party of the first part, and

TOWN OF CHEEKTOWAGA, a municipal corporation, with its principal office at Broadway and Union Road in the Town of Cheektowaga, New York,

party of the second part.

Witnesseth, *that the said party of the first part, in consideration of* ----------ONE AND MORE---------- *Dollars* ($1.00 and more) *lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, and assigns forever.*

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 17, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:-

BEGINNING at a point in the westerly line of Union Road as a 100-foot highway, which said point is 321.76 feet northerly as measured along said westerly line of Union Road from the point of intersection of said west line of Union Road with the south line of Lot 17; thence westerly in a straight line through a point which is 403.53 feet north of the northeast corner of premises conveyed to Empire News in Liber 8044 at Page 486, said 403.53 feet being measured at right angles to the north line of Liber 8044, Page 486, a distance of 1725 feet to a point; thence northerly and parallel to the said west line of Union Road 80 feet to a point; thence easterly and parallel to the first mentioned course 1725 feet to a point on the westerly line of Union Road; thence southerly along the westerly line of Union Road 80 feet to the point or place of beginning.

SUBJECT TO the easement given by VICTOR REINSTEIN to the Erie County Water Authority.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE ~~XXXXXXXXX~~
686 3450

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

February 13, 1981

HONORABLE KENNETH J. MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA, NEW YORK 14227

Re: ACCEPTANCE OF PORTION OF POSTAL DR.

Gentlemen:

I, and my Engineer, T. Skowron, have inspected the existing pavement known as Postal Dr., and find that it meets our requirements for a commercial Town road.

Attached hereto, is a letter of commitment from Grimm & Grimm, Attorneys at Law, who represent Dr. Victor Reinstein in this development. This letter is a satisfactory pledge for the completion of this project.

Postal Dr., is more particularly described as follows:
BEGINNING at a point on the west line of Union Rd., as a 100' ft. highway a distance of 321.76 ft., northerly from the intersection of said westerly line of Union Rd., with the south line of lot 17; thence westerly on a straight line which passes through a point 403.52 ft., north of the northeast corner of Empire News lands recorded in Liber 8044 at page 486, 1725 ft., to a point; thence northerly and paralell with the said west line of Union Rd., a distance of 80 ft; thence easterly and paralell with the first mentioned course a distance of 1725 ft., to the west line of Union Rd., thence southerly along the west line of Union Rd., 80 ft., to the point of beginning.

A maintenance Bond, deed, P.I.P. and lighting agreement are on file in the Town.

After handling by the Town Attorney, the above documents become a part of this acceptance.

Based on all of the above information, I hereby recommend, Postal Dr., as described, be accepted into this Town's system of highways.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Mr. Bryan, - Mr. R. Marten - Mr. Kirisits, - Town Clerk
Mr. Skowron
file

GRIMM AND GRIMM
ATTORNEYS AND COUNSELORS AT LAW
2020 LIBERTY BANK BUILDING
BUFFALO, N.Y. 14202

RICHARD A. GRIMM (DECEASED 1953)
ROBERT W. GRIMM
RICHARD A. GRIMM, JR.
ROBERT W. GRIMM, JR.

TELEPHONES
(716) 856-4099
856-4012

December 23, 1980

Mr. Alfred F. Wnek
Superintendent of Highways
Town of Cheektowaga
3145 Union Road
Cheektowaga, N.Y. 14227

Re: Proposed road west of
Union Road, Town of Cheektowaga

Dear Mr. Wnek:

This office represents Dr. Victor Reinstein who has authorized us to write this letter relative to the above proposed road.

The right of way of the proposed road is 80 feet wide and runs a distance of 1725 feet in an east-west direction intersecting Union Road north of McKesson Parkway. The legal description of said road is enclosed.

Dr. Reinstein has completed the paved portion of this road and agrees to construct the following improvements:

(A) Sanitary sewers in accordance with municipal regulations;

(B) Water lines in accordance with municipal regulations;

(C) Storm sewers on both sides of the road;

(D) Paved shoulders on each side of the road to a width of 4 feet.

We respectfully request that the Town of Cheektowaga

accept this road as a Town highway. We will be happy to cooperate with any further and additional documents which you deem necessary for the proper dedication of this road.

Very truly yours,

GRIMM AND GRIMM

Richard A. Grimm, Jr.

RAG/klw
Enc.

GRIMM AND GRIMM
ATTORNEYS AND COUNSELORS AT LAW
2020 LIBERTY BANK BUILDING
BUFFALO, N. Y. 14202

RICHARD A. GRIMM (DECEASED 1953)
ROBERT W. GRIMM
RICHARD A. GRIMM, JR.
ROBERT W. GRIMM, JR.

TELEPHONES
(716) 856-4099
856-4012

February 17, 1981

Hon. Town Board
Town of Cheektowaga
Broadway and Union Rd.
Cheektowaga, New York

Re: Postal Drive

Gentlemen:

The undersigned, being the developer of Postal Drive, hereby agrees to comply with the engineering requirements of the Town of Cheektowaga, Engineering Department, in the installation and completion of Postal Drive, ~~as set out in the plans and drawings hereby submitted and prepared by Harold L. Gantzer~~. VR

Very truly yours,

Victor Reinstein

Victor Reinstein

vr

Item No. 37 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: Councilman Dux

Item No. 38 Motion by Councilman Wegner, seconded by Councilman Swiatek to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

* * * *
B I D S
* * * *

NO.	ITEM	PAGE
	Meeting No. 5 - March 2, 1981	
2	Maintenance Chemicals for various departments.	1
3	Furnishing new trees for 1981 spring planting.	1

* * * * * * * * * * *

RESOLUTIONS

* * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 5 - March 2, 1981	
4	Order calling for Public Hearing regarding Increase and Improvement of Facilities of Consolidated Refuse and Garbage District of Town of Cheektowaga.	1-2
5	Order and resolution calling for Public Hearing for proposed establishment of Water District No. 8.	2-3
6	Bond and Capital Note Resolution authorizing construction of a Senior Citizens Building on Town property situate on Broadway in said Town.	3
7	Bond and Capital Note Resolution authorizing the reconstruction of Rossler Bridge in Town.	4
8	Bond Resolution authorizing purchase of various pieces of machinery and apparatus for use by Town.	5
9	Bond Resolution authorizing purchase of two (2) Sweepers for use by the Town.	6
10	Bond Resolution authorizing purchase of two (2) passenger vehicles.	7
11	Bond and Capital Note Resolution authorizing the reconstruction, in part, of the Police-Court Building.	8
12	Bond and Capital Note Resolution authorizing original improvement and embellishment of Town Park and Recreation area.	9
13	Bond Resolution authorizing the construction of improvements to various parks and recreation areas in Town.	10
14	Bond and Capital Note Resolution authorizing acquisition of certain parcel of land in Town, as site of a park, to be known as Madeira Pk.	11
15	Bond and Capital Note Resolution authorizing: 1). Acquisition of certain parcel of land in Town as site of Park & Recreation Area; and 2). Original improvement and embellishment of said site to be known as John C. Stiglmeier Park.	12
16	Bond and Capital Note Resolution authorizing original improvement and embellishment of (1) Raymond, (2) Theodore Roosevelt, (3) Northcreek/ Southcreek and (4) Nokomis Playgrounds.	13
17	Bond and Capital Note Resolution authorizing: 1). Acquisition of certain parcel of land in Town as site of Park and Recreation Area; and 2). Original improvement and embellishment of said site, to be known as Nob Hill Park.	14
18	Notice to Bidders: Stone, asphalt, winter mix, road oil, plant mixed concrete, etc. for Highway Department.	15
19	Notice to Bidders: New equipment for Highway Department.	16-17
20	Notice to Bidders: Pool Maintenance Chemicals - Facilities Department.	18
21	Call for Public Hearing: Rezoning of 4042 Union Road from R-Residential to RC-Restricted Business District.	19
22	Call for Public Hearing: Rezoning of 3445 Union Road from C-Retail Business to CM-General Commercial District.	20
23	Call for Public Hearing: Rezoning of 1335-1371 French Road from RA-Apartment District to RC-Restricted Business District.	21
24	Call for Public Hearing: Amendment to Zoning Ordinance.	22-23
25	Decision on Rezoning: 500 Dick Road.	24
26	Decision on amendment to Zoning Ordinance: Senior Citizen Housing.	24-26
27	Award of Bid: Phase I Sewer System Rehabilitation in Sanitary Sewer District No. 5 Service Area.	27-28
28	Award of Bid: Two (2) pick-up trucks for Sewer Maintenance Dept.	28-29

RESOLUTIONS CONT'D.

NO.	ITEM	PAGE
	Meeting No. 5 - March 2, 1981 Cont'd.	
29	Adoption of "Town of Cheektowaga Employees Federal Credit Union" and payroll deduction for same.	29
30	Termination of employee in Sanitation Department.	29
31	Reappointment of Acting Assistant Working Foreman in Sanitation Dept.	29-30
32	Appointment to position of Senior Clerk in Sanitation Department.	30
*33	Appointment to temporary position of Working Foreman in Sewer Maintenance Dept. (This item was acted upon after Item No. 60).	43
34	Hiring under C.E.T.A., Title IID.	30-32
35	Reappointments to Cheektowaga Senior Advisory Council .	32-33
36	Termination of participants of Youth Community Conservation and Improvement Project (YCCIP).	33
37	Hiring under YCCIP - Youth Bureau.	33
38	Appointment to position of Temporary General Mechanic in the Facilities Department.	33-34
39	Authorize John Slisz, Animal Control Officer to attend Animal Control Academy.	34
40	Authorize Kenneth J. Kopacz, Executive Director of Youth Bureau to attend Association of N.Y.S. Youth Bureaus Meeting.	34-35
41	Memorialize Erie County Legislature to request N.Y.S. Legislature to pass legislation authorizing County of Erie to pay all costs regarding water line relocation along Losson Road.	35
42	Memorialize State Senator Volker and State Assemblyman Gorski to assist the Town in receiving financial assistance from N.Y.S.-D.O.T. for Walden Avenue Drainage Project.	35-36
43	Authorization for consulting engineer to prepare specifications regarding signal at Dick Road and North Creek Drive.	36
44	Authorization for Supervisor to sign permit regarding signal at Dick Road and North Creek Drive intersection.	36
45	Authorize Supervisor to sign agreement with N.Y.S. Dept. of Environmental Conservation re: U.S. Youth Conservation Corps Grant.	36-37
46	Authorize Town Engineer to secure services of McFarland-Johnson Engineers, Inc. for technical services not included in any ongoing project.	37
47	Authorize Town Engineer to secure services of Nussbaumer & Clarke, Inc. for technical services not included in any ongoing project.	37
48	Authorize house lateral connections for Pilot Project Program in Sanitary Sewer District No. 5.	37-38
49	Authorize necessary expenditure for construction of sanitary sewer to provide service to northeast corner of Clinton St. & Harlem Rd.	38
50	Authorize Supervisor to sign application for amendment to Federal grant re: Abatement of Water Pollution in San. Sewer Dist. No. 5 Service Area.	38-40
51	Authorize Main Hurdman & Cranstoun to perform certain special professional services re: Bond or Bond Anticipation Note Sale prospectus.	40
52	Authorize N.Y.S. Electric & Gas Corp. to remove four (4) lamps on Union Road.	40-41
53	Transfer of Funds.	41
54	Warrant List.	41-42

* *

DEPARTMENTAL COMMUNICATIONS

* *

NO.	ITEM	PAGE
	Meeting No. 5 - March 2, 1981	
55	Building Permits.	42
56	Cheektowaga Public Library Board - Minutes of January, 1981 meeting.	42

* *

G E N E R A L C O M M U N I C A T I O N S

* *

NO.	ITEM	PAGE
	Meeting No. 5 - March 2, 1981	
57	Erie County Department of Public Works - Designation of Restricted Highway: Losson Road.	42
58	Erie County Department of Public Works - Letter re: Traffic study of intersection of Dick Road and North Creek Drive.	42
59	St. John Gualbert Senior Citizens - Letter re: Senior Citizens Center.	42
60	Summons & Complaint - Thomas Pompeo vs. Town of Cheektowaga.	42

SUSPENSION OF RULES

NO.	ITEM	PAGE
	Meeting No. 5 - March 2, 1981	
61	Reinstatement of employee in Sanitation Department.	43-44
62	Approval of Change Order re: Sanitary Sewer District No. 5 Main Pump Station.	44

MEETING NO. 5

CHEEKTOWAGA, NEW YORK
MARCH 2, 1981

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of March, 1981 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; James Kirisits, Town Attorney; Ronald Marten, Building & Plumbing Inspector; James Matecki, Director of Facilities Department; Michael Miecznikowski, Temporary Recreation Supervisor; Julia Reinstein, Town Historian; Dennis L. Repka, Town Justice; Andrew Schwenk, Sole Assessor; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Pat Wojcik, Recreation Supervisor-Senior Citizens; Ronald Zoeller, Working Foreman-Sanitation Department.

I. BIDS

Item No. 2 Maintenance Chemicals for various departments.
Referred to Chester L. Bryan, Town Engineer.

Item No. 3 Furnishing New Trees for 1981 spring planting.
Referred to Alfred Wnek, Highway Superintendent.

II. RESOLUTIONS

Item No. 4 Order and Resolution calling for Public Hearing regarding Increase and Improvement of Facilities of Consolidated Refuse and Garbage District of Town of Cheektowaga.

Motion by Councilman Dux, seconded by Supervisor Meyers, Councilmen Swiatek, Johnson, Burst, Wegner and Rogowski

WHEREAS, pursuant to the direction of the Town Board of the Town of Cheektowaga, a preliminary report and estimate of cost has been prepared for the increase and improvement of facilities constituting the acquisition of four (4) packers and other equipment, as described and set forth in such report, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held on March 16, 1981 at 7:00 o'clock P.M., Eastern Standard Time, to consider said increase and improvement of the district and to hear all persons interested in the subject thereof concerning the same, as may be required by law.

*See next few pages for copy of Order, Certifications and Affidavit.

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, in said Town, on the 2nd day of March, 1981.

PRESENT:

Hon. Kenneth J. Meyers,	Supervisor
Thomas M. Johnson, Jr.	Councilman
Frank E. Swiatek,	Councilman
Frank J. Dux,	Councilman
James R. Burst,	Councilman
Donald J. Wegner,	Councilman
William P. Rogowski,	Councilman

- X

In the Matter of the : ORDER CALLING PUBLIC HEARING TO BE HELD ON

Increase and Improvement of Facilities of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law. : March 16, 1981, 1981

- X

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has heretofore duly established in the Town, the Consolidated Refuse and Garbage District (herein called "District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and there are maintained on file for public inspection in the office of the Town Clerk of the Town a metes and bounds description and map of the District, including extensions thereof, if any;

WHEREAS, pursuant to the direction of the Town Board of the Town, on behalf of the District, the Sanitation Department of the Town has prepared, completed and filed with the Town Board, a preliminary report and estimate of cost dated 2-1-81, for the increase and improvement of facilities of the District pursuant to Section 202-b of the Town Law, constituting the acquisition by purchase of four (4) packers and other equipment, to provide garbage and refuse collection service in the District, all as

more particularly described and set forth in such report and estimate (herein collectively called "Proposed Improvements");

WHEREAS, the estimated maximum cost, as prepared by the Sanitation Department of the Town of the Proposed Improvements, is $300,000, which is planned to be financed by the issuance of serial bonds of the Town. The cost of the Proposed Improvements, including (1) debt service consisting of the principal of and interest on such serial bonds and any bond anticipation notes issued in anticipation of such serial bonds, and (2) operation and maintenance of the Proposed Improvements, shall be annually assessed, levied and collected from the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said Proposed Improvements so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same;

now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, in the Town, on the 16th day of March, 1981, at 7:00 o'clock P.M.(E.S.T.) to consider said increase and improvement of facilities of the District as herein referred to, to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and post on the sign board maintained pursuant to subdivision 6 of Section 30 of the Town Law and

conspicuously in five (5) public places within the District, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: MARCH 2, 1981

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

SEAL

Members of the Town Board of the Town of Cheektowaga, New York

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 2nd day of March, 1981. and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 1981.

SEAL

Richard M. Moleski
Town Clerk

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all the times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, New York; that on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a certified copy of an Order Calling Public Hearing for the increase and improvement of facilities of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, a true copy of which is annexed hereto and made a part hereof, on the sign board of said Town maintained pursuant to Section 30 (6) of the Town Law and in the following places constituting five (5) of the most public places within the District, in the Town of Cheektowaga, New York, referred to in said Order Calling Public Hearing:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, New York.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York.
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

'E OF NEW YORK
NTY OF ERIE
N OF CHEEKTOWAGA } ss.

Gladys M. Kuchta, of the town
ieektowaga, in said County of Erie, being
sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
ga Times, a public newspaper published
y in said town; that the notice, of which
nexed printed slip, taken from said news-
is a copy, was inserted and published in
paper once a week for ....1..... weeks:
publication.....March 5, 1981.....;
publication.....March 5, 1981.....;
hat no more than six days intervened be-
publications.

Gladys M. Kuchta

n to before me this 6th
f.....March....., 1981
Naidine C. Williams

ary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

and said
n ten (10)
20) days
h public

E TOWN

Meyers

i

Jr.

Board of
ga, New

)
) ss:
ESKI,
own of
unty of
rk, DO
I have
Order
vith the
y office
h, 1981.
rue and
nal and

COF, I
nd and
of said
h, 1981.
KI

981

NOTICE

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held at the Town Hall, in said Town, on the 2nd day of March, 1981.

PRESENT:

Hon. Kenneth J. Meyers, Supervisor

Councilmen:

Thomas M. Johnson, Jr.
Frank E. Swiatek
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

ORDER CALLING PUBLIC HEARING TO BE HELD ON March 16, 1981

In the Matter of the

Increase and Improvement of Facilities of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law.

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has heretofore duly established in the Town, the Consolidated Refuse and Garbage District (herein called "District"), pursuant to the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York (herein called "Town Law"), and there are maintained on file for public inspection in the office of the Town Clerk of the Town a metes and bounds description and map of the District, including extensions thereof, if any;

WHEREAS, pursuant to the direction of the Town Board of the Town, on behalf of the District, the Sanitation Department of the Town has prepared, completed and filed with the Town Board, a preliminary report and estimate of cost date 2-1-81, for the increase and improvement of facilities of the District pursuant to Section 202-b of the Town Law, constituting the acquisition by purchase of four (4) packers and other equipment, to provide garbage and refuse collection service in the District, all as more particularly described and set forth in such report and estimate (herein collectively called "Proposed Improvements");

WHEREAS, the estimated maximum cost, as prepared by the Sanitation Department of the Town of the Proposed Improvements, is $300,000, which is planned to be financed by the issuance of serial bonds of the town. The cost of the Proposed Improvements, including (1) debt service consisting of the principal of and interest on such serial bonds and any bond anticipation notes issued in anticipation of such serial bonds, and (2) operation and maintenance of the Proposed Improvements, shall be annually assessed, levied and collected from the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said Proposed Improvements so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, in the Town, on the 16th day of March, 1981, at 7:00 o'clock P.M. (E.S.T.) to consider said increase and improvement of facilities of the District as herein referred to, to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and post on the sign board maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in five (5) public places within the District, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Supervisor Kenneth J. Meyers

Councilmen:

Frank J. Dux
William P. Rogowski
James R. Burst
Thomas M. Johnson, Jr.
Donald J. Wegner
Frank E. Swiatek

Members of the Town Board of the Town of Cheektowaga, New York

DATED: March 2, 1981

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 2nd day of March, 1981, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 5, 1981

Item No. 4 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 5 Order and Resolution calling for Public Hearing for proposed establishment of Water District No. 8.

Motion by Councilman Johnson, seconded by Supervisor Meyers, Councilmen Swiatek, Dux, Burst, Wegner and Rogowski

WHEREAS, a map, plan and report for proposed Water District No. 8 has been prepared by Nussbaumer & Clarke, Inc., now, therefore, BE IT

RESOLVED that a Public Hearing be held to consider the establishment of the proposed district on March 16, 1981 at 7:00 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall located at Broadway and Union Road, Cheektowaga, New York.

*See next few pages for copy of Order, Certifications and Affidavit.

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in the Town, on the 2nd day of March, 1981.

PRESENT:

Hon. Kenneth J. Meyers,	Supervisor
Thomas M. Johnson, Jr.	Councilman
Frank E. Swiatek,	Councilman
Frank J. Dux,	Councilman
James R. Burst,	Councilman
Donald J. Wegner,	Councilman
William P. Rogowski,	Councilman

- -X

In the Matter of the	: ORDER CALLING PUBLIC HEARING TO BE HELD ON
Establishment of Water District No. 8, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Article 12-A of the Town Law.	: MARCH 16, 1981, 1981

- -X

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has caused Nussbaumer & Clarke, Inc., duly licensed engineers of the State of New York, to prepare a general map, plan and report, dated June, 1979 and revised January, 1981, for the construction of a water system, consisting of 8, 12 or 16 inch water mains, and also including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus, as may be necessary for said water system, in Water District No. 8, in the Town (herein called "District"), providing to be established, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, the Town Board of the Town has determined to proceed with the establishment of the District and the construction of a water system therein; and

WHEREAS, the proposed District is bounded and described as follows:

b. Legal Description

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lots 79, 80, 81 and 82, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at the point of intersection of the centerline of Ellicott Creek and the southeasterly property line of the Greater Buffalo International Airport;

Thence northeasterly along the southeasterly property line of lands of said Airport for a distance of 2,960 feet, more or less, to the southerly right-of-way line of the Governor Thomas E. Dewey Thruway;

Thence southerly at right angles to said southerly line of Thruway for a distance of 870 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,125 feet, more or less, to the easterly line of lands of Niagara Mohawk Power Corporation;

Thence southerly along said easterly line of lands of Niagara Mohawk Power Corporation for a distance of 600 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,380 feet, more or less, to a point in the westerly line of Lot 79, Township 11, Range 7;

Thence northerly along said westerly line of Lot 79 to the southerly right-of-way line of the New York State Governor Thomas E. Dewey Thruway;

Thence southeasterly along said southerly line of Thruway to the dividing line between the Towns of Cheektowaga and Lancaster;

Thence southerly along said dividing line, being also the centerline of Transit Road, being also the easterly line of said Lot 79 to the centerline of Ellicott Creek;

Thence generally westerly along said centerline of Ellicott Creek to the point of beginning.

The above describing the boundary lines of proposed Water District No. 8.

WHEREAS, the maximum amount proposed to be expended for the construction of said water system, as hereinabove described, is $ 578,000.00 , which is planned to be financed by the issuance of serial bonds of the Town, and the assessment, levy and collection of assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said water system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same;

now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, in said Town, on the 16th day of March , 1981, at 7:00 o'clock P.M.(E.S.T.) to consider the proposed establishment of the District and the construction of such water system therein, as herein referred to, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, the official newspaper of the Town, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in at least five (5) public places within the proposed District, a copy of this Order, certified by the Town Clerk, the first publication and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated for said public hearing as aforesaid.

DATED: MARCH 2, 1981

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Supervisor

Councilman

Councilman

Councilman

Councilman

Councilman

SEAL

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 2nd day of March, 1981, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 1981.

SEAL

Richard M. Moleski
Town Clerk

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn, deposes and says:

That he is and at all times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a certified copy of an Order Calling Public Hearing duly adopted by the Town Board of said Town on March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law in the following places, and that said places constitute at least five (5) of the most public places within the proposed District:

1. Telephone pole No. 11 - 1 NYT, 4 - 1 NYSE&G, 810 Rein Road, located in front of Voiture Local #51 Building, Cheektowaga, New York.
2. Telephone pole No. 23 - 5 NYT, 3534-20 NYSE&G, located at the corner of Scott Place and Aero Drive, Cheektowaga, New York.
3. NYSE&G pole No. W-24 - 266, NYT - 7, Pfohl Road and Rein Road, Cheektowaga, New York
4. NTSE&G pole No. 40 - 266, NYT - 13, 592 Aero Drive, Cheektowaga, New York
5. NYSE&G pole No. 261 - 5, NYT - 10, 829 Rein Road, Cheektowaga, New York

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is .....Clerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ....1..... weeks: first publication ....March 5, 1981....; last publication ....March 5, 1981....; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this ....6th....
day of ....March...., 19..81..
Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

NOTICE

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in the Town, on the 2nd day of March, 1981.

PRESENT:

Hon. Kenneth J. Meyers,
Supervisor
Councilmen:
Thomas M. Johnson, Jr.
Frank E. Swiatek
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

ORDER CALLING PUBLIC HEARING TO BE HELD ON March 16, 1981

In the Matter of the Establishment of Water District No. 8, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Article 12-A of the Town Law.

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has caused Nussbaumer & Clarke, Inc., duly licensed engineers of the State of New York, to prepare a general map, plan and report, dated June, 1979 and revised January, 1981, for the construction of a water system, consisting of 8, 12 or 16 inch water mains, and also including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus, as may be necessary for said water system, in Water District No. 8, in the Town (herein called "District"), providing to be established, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, the Town Board of the Town has determined to proceed with the establishment of the District and the construction of a water system therein; and

WHEREAS, the proposed District is bounded and described as follows:

b. Legal Description

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lots 79, 80, 81 and 82, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at the point of intersection of the centerline of Ellicott Creek and the southeasterly property line of the Greater Buffalo International Airport;

Thence northeasterly along the southeasterly property line of lands of said Airport for a distance of 2,960 feet, more or less, to the southerly right-of-way line of the Governor Thomas E. Dewey Thruway;

Thence southerly at right angles to said southerly line of Thruway for a distance of 870 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,125 feet, more or less, to the easterly line of lands of Niagara Mohawk Power Corporation;

Thence southerly along said easterly line of lands of Niagara Mohawk Power Corporation for a distance of 600 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,380 feet, more or less, to a point in the westerly line of Lot 79, Township 11, Range 7;

Thence northerly along said westerly line of Lot 79 to the southerly right-of-way line of the New York State Governor Thomas E. Dewey Thruway;

Thence southeasterly along said southerly line of Thruway to the dividing line between the Towns of Cheektowaga and Lancaster;

Thence southerly along said dividing line, being also the centerline of Transit Road, being also the easterly line of said Lot 79 to the centerline of Ellicott Creek;

Thence generally westerly along said centerline of Ellicott Creek to the point of beginning.

The above describing the boundary lines of proposed Water District No. 8.

WHEREAS, the maximum amount proposed to be expended for the construction of said water system, as hereinabove described, is $578,000.00, which is planned to be financed by the issuance of serial bonds of the Town, and the assessment, levy and collection of assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said water system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same;

now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, in said Town, on the 16th day of March, 1981, at 7:00 o'clock P.M. (E.S.T.) to consider the proposed establishment of the District and the construction of such water system therein, as herein referred to, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, the official newspaper of the Town, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in at least five (5) public places within the proposed District, a copy of this Order, certified by the Town Clerk, the first publication and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated for said public hearing as aforesaid.

DATED: March 2, 1981

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Supervisor Kenneth J. Meyers

Councilmen:
Frank J. Dux
William P. Rogowski
Frank E. Swiatek
Donald J. Wegner
James R. Burst
Thomas M. Johnson, Jr.

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 2nd day of March, 1981, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 5, 1981

Item No. 5 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 6 Bond and Capital Note Resolution authorizing construction of a Senior Citizens Building on Town property situate on Broadway in said Town.

*See next several pages for copy of Bond and Capital Note Resolution, Certifications and Affidavit of Publication.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Supervisor Meyers offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE CONSTRUCTION OF A SENIOR CITIZENS BUILDING ON TOWN PROPERTY SITUATE ON BROADWAY, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,310,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $65,500 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $1,244,500 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION, AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct a Senior Citizens Building on land now owned by the Town situate east of the Town Hall on Broadway, in the Town, including grading, original furnishings, equipment, machinery or apparatus required for the purpose for which such building is to be used. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $1,310,000 and appropriating said amount therefor. The

plan of financing includes the issuance of $65,500 capital notes to provide the down payment required by law, the issuance of $1,244,500 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property within the Town to pay the principal of and interest on said notes and bonds as the same shall become due and payable. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said bonds or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Capital notes in the principal amount of $65,500 and serial bonds of the Town in the principal amount of $1,244,500 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The building will be of Class "A" construction as defined by Section 11.00 a. 11 (a) of the Law and the period of probable usefulness thereof, within the limitations of the Law, is thirty (30) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be provided from the proceeds of the capital notes herein authorized to be issued. The Supervisor is hereby authorized and directed to set aside said current funds and to apply the same solely to the specific object or purpose described in Section 1 hereof.

(c) The proposed maturity of the bonds herein authorized may exceed five (5) years.

Section 4. Each of the notes and bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permisssive referendum.

* * *

The adoption of the foregoing resolution was seconded by Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Supervisor Meyers offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of a Senior Citizens Building on Town property situate on Broadway, in said Town, stating the estimated maximum cost thereof is $1,310,000, appropriating said amount therefor, authorizing the issuance of $65,500 capital notes to provide the required down payment and $1,244,500 serial bonds of said Town to finance the balance of said appropriation, and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct a Senior Citizens Building on land now owned by the Town situate east of the Town Hall on Broadway, in the Town; STATING the estimated maximum cost thereof is $1,310,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $65,500 capital notes to provide the down payment required by law, the issuance of $1,244,500 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property within the Town to pay the principal of and interest on said notes and bonds as the same shall become due and payable; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said bonds or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds;

SECOND: AUTHORIZING $65,500 capital notes and $1,244,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the building will be of Class "A" construction and the period of probable usefulness thereof, is thirty (30) years; that current funds are required by the Law to be provided prior to the issuance of the bonds authorized or any bond anticipation notes issued in anticipation thereof and such current funds will be provided from the proceeds of the capital notes authorized to be issued; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Wegner & Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst, Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, N. Y.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1 1049 French Road, Cheektowaga, N.Y.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Zuckle, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Zuckle

Sworn to before me this 6th day of March, 1981

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the construction of a Senior Citizens Building on Town property situate on Broadway, in said Town, stating the estimated maximum cost thereof is $1,310,000, appropriating said amount therefor, authorizing the issuance of $65,500 capital notes to provide the required down payment and $1,244,500 serial bonds of said Town to finance the balance of said appropriation, and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds."

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct a Senior Citizens Building on land now owned by the Town situate east of the Town Hall on Broadway, in the Town; STATING the estimated maximum cost thereof is $1,310,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $65,500 capital notes to provide the down payment required by law, the issuance of $1,244,500 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property within the Town to pay the principal of and interest on said notes and bonds as the same shall become due and payable; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said bonds or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds;

SECOND: AUTHORIZING $65,500 capital notes and $1,244,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the building will be of Class "A" construction and the period of probable usefulness thereof, is thirty (30) years; that current funds are required by the Law to be provided prior to the issuance of the bonds authorized or any bond anticipation notes issued in anticipation thereof and such current funds will be provided from the proceeds of the capital notes authorized to be issued; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

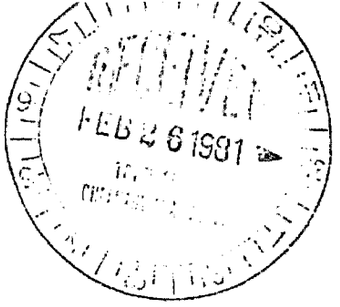
SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 7 Bond and Capital Note Resolution authorizing the Reconstruction of the Rossler Bridge in Town of Cheektowaga, New York.

*See next several pages for copy of Bond and Capital Note Resolution, Certifications and Affidavit of Publication.



EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk
James J. Kirisits, Town Attorney

* * *

Councilman Burst offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE RECONSTRUCTION OF ROSSLER BRIDGE, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $550,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $27,500 CAPITAL NOTES TO PROVIDE THE DOWN PAYMENT AND $522,500 SERIAL BONDS OF THE TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, hereby authorizes the reconstruction of Rossler Bridge, in the Town, including acquisition of land or rights in land, retaining walls and approaches thereto and other incidental improvements in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $550,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $27,500 capital notes to provide the down payment required by law and $522,500 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said notes and bonds.

Section 2. Capital notes of the Town in the principal amount of $27,500 and serial bonds of the Town in the principal amount of $522,500 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 3. The following additional matters are hereby determined and stated:

(a) The period of proable usefulness of the specific object or purpose for which the notes and bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

(b) Current funds are required by the Law to be provided as a down payment in accordance with Section 107.00 of the Law prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $27,500 capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of the sale of said capital notes and to apply the same solely to the specific object or purpose as hereinabove described in Section 1 hereof.

(c) The proposed maturity of the bonds herein authorized may be in excess of five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any notes issued in anticipation of the sale of said bonds or the renewals of said notes shall contain the recital of validity prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit

of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of said bonds or the renewals of said notes, and provision shall be made annually in the budget of the Town by appropriation for (a) amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or renewals of said notes and relative to prescribing the terms, form and contents and as to the sale and issuance of the capital notes and serial bonds herein authorized and any notes in anticipation of the sale of said serial bonds or the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced with in twenty days after the date of such publication, or

(c) such obligations are authorized in violation of provisions of the constitution.

Section 7. This resolution shall be subject to a permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted:

***

Councilman Burst offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the reconstruction of Rossler Bridge, in the Town, stating the estimated maximum cost thereof, is $550,000, appropriating said amount therefor, authorizing the issuance of $27,500 capital notes to provide the down payment and $522,500 serial bonds of the Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to reconstruct the Rossler Bridge, in the Town, including acquisition of land or rights in land, retaining walls and approaches thereto and other incidental improvements in connection therewith; STATING the estimated maximum cost thereof is $550,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $27,500 capital notes to provide the down payment required by law and $522,500 serial bonds of the Town to finance the balance of said appropriatio and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds;

SECOND: AUTHORIZING $27,500 capital notes and $522,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law");

THIRD: DETERMINING AND STATING that the period of probable usefulness of said specific object or purpose is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $27,500 capital notes authorized; AUTHORIZING AND DIRECTING the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may be in excess of five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,
Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, New York.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York
4. St. Barbanas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1 1049 French Road, Cheektowaga, N.Y.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deshuter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Deshuter

Sworn to before me this 6th

day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the reconstruction of Rossler Bridge, in the Town, stating the estimated maximum cost thereof, is $550,000, appropriating said amount therefor, authorizing the issuance of $27,500 capital notes to provide the down payment and $522,500 serial bonds of the Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to reconstruct the Rossler Bridge, in the Town, including acquisition of land or rights in land, retaining walls and approaches thereto and other incidental improvements in connection therewith; STATING the estimated maximum cost thereof is $550,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $27,500 capital notes to provide the down payment required by law and $522,500 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds;

SECOND: AUTHORIZING $27,500 capital notes and $522,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law");

THIRD: DETERMINING AND STATING that the period of probable usefulness of said specific object or purpose is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $27,500 capital notes authorized; AUTHORIZING AND DIRECTING the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may be in excess of five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 8 Bond Resolution authorizing purchase of various pieces of Machinery and Apparatus for use by Town of Cheektowaga Highway Department.

*See next several pages for copy of Bond Resolution, Certifications and Affidavit of Publication.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Rogowski offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE PURCHASE OF VARIOUS PIECES OF MACHINERY AND APPARATUS FOR USE BY THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS $617,000 , APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE APPLICATION OF $71,000 TRADE-IN VALUE OF VARIOUS PIECES OF MACHINERY AND APPARATUS PRESENTLY OWNED BY THE TOWN TOWARDS THE COST AND AUTHORIZING THE ISSUANCE OF $546,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to purchase various pieces of machinery and apparatus for use by the Town. The estimated total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is $617,000 and said amount is hereby appropriated therefor, including the amount of $71,000 being the trade-in value of various pieces of machinery and apparatus presently owned by the Town, hereby authorized to be applied towards the payment of said cost. The plan of financing includes the application of said trade-in value, the issuance of $546,000 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of $546,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the balance of said appropriation not provided by said current funds.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the making of expenditures from the proceeds of said bonds herein authorized or any bond anticipation notes in anticipation of the sale of said bonds or from a fund into which the proceeds of said bonds or such bond anticipation notes are paid, pursuant to the provisions of Section 107.00 of the Law, and such current funds in the amount of $71,000 are available from the trade-in value of various pieces of machinery and apparatus presently owned by the Town and the Supervisor is hereby authorized and directed to set aside said current funds and expend same solely towards the cost of said class of objects or purposes.

(c) The proposed maturity of the bonds authorized by this resolution may not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by

a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to a permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst and Councilman Wegner and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

****

Councilman Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the purchase of various pieces of machinery and apparatus for use by the Town, stating the estimated total cost thereof is $617,000 , appropriating said amount therefor, authorizing the application of $71,000 trade-in value of various pieces of machinery and apparatus presently owned by the Town towards the cost and authorizing the issuance of $546,000 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to purchase various pieces of machinery and apparatus for use by the Town; STATING the estimated total cost of said class of objects or purposes is $617,000 and APPROPRIATING said amount therefor, including the amount of $71,000 being the trade-in value of various pieces of machinery and apparatus presently owned by the Town and AUTHORIZING the application of said trade-in value towards the payment of said cost; STATING the plan of financing includes the application of said trade-in value, the issuance of $546,000 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable;

SECOND: AUTHORIZING $546,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law Law ("Law");

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of said class of objects or purposes is fifteen (15) years; that current funds are required by the Law to be provided as a down payment prior to the making of expenditures from the proceeds of said bonds authorized or any bond anticipation notes in anticipation of the sale of said bonds or from a fund into which the proceeds of said bonds or such bond anticipation notes are paid, and such current funds in the amount of $71,000 are available from the trade-in value of various pieces or machinery and apparatus presently owned by the Town and AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and expend same solely towards the cost of said class of objects or purposes; STATING the proposed maturity of the bonds authorized may exceed five (5) years;

FOURTH: DETERMINING that said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst and Councilman Wegner and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, New York.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall Bulletin board - George Urban Boulevard, Cheektowaga, New York.
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5 day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hackett, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Hackett

Sworn to before me this 6th day of March, 1981

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30 19 81

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the purchase of various pieces of machinery and apparatus for use by the Town, stating the estimated total cost thereof is $617,000, appropriating said amount therefor, authorizing the application of $71,000 trade-in value of various pieces of machinery and apparatus presently owned by the Town towards the cost and authorizing the issuance of $546,000 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to purchase various pieces of machinery and apparatus for use by the Town; STATING the estimated total cost of said class of objects or purposes is $617,000 and APPROPRIATING said amount therefor, including the amount of $71,000 being the trade-in value of various pieces of machinery and apparatus presently owned by the Town and AUTHORIZING the application of said trade-in value towards the payment of said cost; STATING the plan of financing includes the application of said trade-in value, the issuance of $546,000 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable;

SECOND: AUTHORIZING $546,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law");

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of said class of objects or purposes is fifteen (15) years; that current funds are required by the Law to be provided as a down payment prior to the making of expenditures from the proceeds of said bonds authorized or any bond anticipation notes in anticipation of the sale of said bonds or from a fund into which the proceeds of said bonds or such bond anticipation notes are paid, and such current funds in the amount of $71,000 are available from the trade-in value of various pieces or machinery and apparatus presently owned by the Town and AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and expend same solely towards the cost of said class of objects or purposes; STATING the proposed maturity of the bonds authorized may exceed five (5) years;

FOURTH: DETERMINING that said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 9 Bond Resolution authorizing purchase of two (2) Sweepers for use by Town of Cheektowaga Highway Department.

*See next several pages for copy of Bond Resolution, Certification and Affidavit of Publication.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor
and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent:

None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Rogowski offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE PURCHASE OF TWO (2) SWEEPERS FOR USE BY THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS $140,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $140,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to purchase two (2) sweepers at an estimated maximum cost of $70,000 each for use by the Town. The estimated total cost of said items, being all the items of a single specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $140,000 and said amount is hereby appropriated therefor. The plan of financing is the issuance of $140,000 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of $140,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York herein called "Law", to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of each item of the specific object or purpose for which the $140,000 bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 29 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipaiton notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Secion 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation therof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents

and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renwals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst and Councilman Wegner and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Councilman Reynolds offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Cheektowaga, in the County of Erie, New York, is hereby directed to publish the foregoing bond resolution, in full, in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, and having a general circulation therein, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst and Councilman Wegner and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 6th

day of March, 1981

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE

The resolution published herewith has been adopted on the 2nd day of March, 1981, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE PURCHASE OF TWO (2) SWEEPERS FOR USE BY THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS $140,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $140,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to purchase two (2) sweepers at an estimated maximum cost of $70,000 each for use by the Town. The estimated total cost of said items, being all the items of a single specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $140,000 and said amount is hereby appropriated therefor. The plan of financing is the issuance of $140,000 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of $140,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York herein called "Law", to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of each item of the specific object or purpose for which the $140,000 bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 29 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

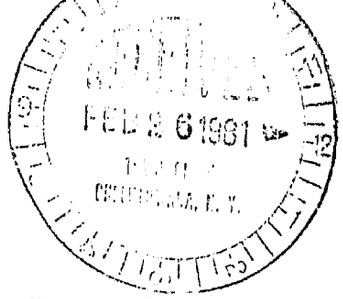
(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

PUBLISHED: March 5, 1981

Item No. 10 Bond Resolution authorizing purchase of two (2) Passenger Vehicles for use by Town of Cheektowaga Highway Department.

*See next several pages for copy of Bond Resolution, Certification and Affidavit of Publication.



EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Burst offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE PURCHASE OF TWO (2) PASSENGER VEHICLES TO REPLACE SIMILAR VEHICLES IN SERVICE FOR THREE YEARS OR MORE, STATING THE ESTIMATED TOTAL COST THEREOF IS $14,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $14,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to purchase two (2) passenger vehicles to replace similar vehicles in service for three years or more at an estimated maximum cost of $7,000.00 each for use by the Town. The estimated total cost of said items, being each item of a single specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $14,000.00 and said amount is hereby appropriated therefor. The plan of financing is the issuance of $14,000.00 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of $14,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of each item of the specific object or purpose for which the $14,000.00 bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 77 of the Law, is three (3) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation therof to mature in such year and (b) the payment of interest to be due and payble in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorize bond anticipation notes and prescribing the terms, form and

contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delgated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds,may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money,or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Wegner and Councilman Rogowski and duly put to vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Councilman Burst offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Cheektowaga in the County of Erie, New York, is hereby directed to publish the foreging bond resolution, in full, in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowage, New York, and having a general circulation therin, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediatley.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Luckster, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Luckster

Sworn to before me this 6th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE

The resolution published herewith has been adopted on the 2nd day of March, 1981, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE PURCHASE OF TWO (2) PASSENGER VEHICLES TO REPLACE SIMILAR VEHICLES IN SERVICE FOR THREE YEARS OR MORE, STATING THE ESTIMATED TOTAL COST THEREOF IS $14,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $14,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to purchase two (2) passenger vehicles to replace similar vehicles in service for three years or more at an estimated maximum cost of $7,000.00 each for use by the Town. The estimated total cost of said items, being each item of a single specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $14,000.00 and said amount is hereby appropriated therefor. The plan of financing is the issuance of $14,000.00 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of $14,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of each item of the specific object or purpose for which the $14,000.00 bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 77 of the Law, is three (3) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provision of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorize bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

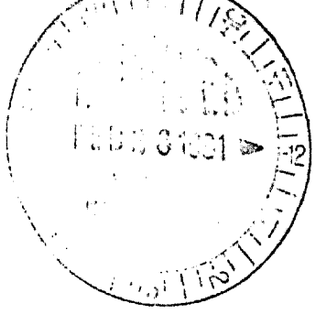
(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

PUBLISHED: March 5, 1981

Item No. 11 Bond and Capital Note Resolution authorizing the reconstruction, in part, of the Police and Court Building of the Town of Cheektowaga, New York.

*See next several pages for copy of Bond and Capital Note Resolution, Certifications and Affidavit of Publication.



EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Supervisor Meyers. offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE RECONSTRUCTION, IN PART, OF THE POLICE-COURT BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $237,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $11,850 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $225,150 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to reconstruct, in part, the Police-Court building, in the Town, including original furnishings, equipment, machinery and appartus required for the purpose for which said Police-Court building is to be used. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $237,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $11,850 capital notes to provide the down payment required by law, the issuance of $225,150 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said notes and bonds as the same shall become due and payable.

Section 2. Capital notes in the principal amount of $11,850 and serial bonds in the principal amount of $225,150 of the Town are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The building is and will be Class "A" construction as defined by Section 11.00 a. 11 (a) of the Law and the period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 12 (a) (1) of the Law, is twenty (20) years.

(b) Current funds are required by the Law to be provided as a down payment in accordance with Section 107.00 of the Law prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $11,850 capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of the sale of said capital notes and to apply the same solely to the specific object or purpose as hereinabove described in Section 1 hereof.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the notes and bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property

within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of said notes and bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permisssive referendum.

* * *

The adoption of the foregoing resolution was seconded by Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rozowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Supervisor Meyers offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the reconstruction, in part, of the police-court building, stating the estimated maximum cost thereof is $237,000, appropriating said amount therefor, authorizing the issuance of $11,850 capital notes to provide the required down payment and $225,150 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to reconstruct, in part, the police-court building, in the Town, including original furnishings, equipment, machinery and apparatus required for the purpose for which said police-court building is to be used; STATING the estimated maximum cost thereof is $237,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $11,850 capital notes to provide the down payment required by law, the issuance of $225,150 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said notes and bonds as the same shall become due and payable;

SECOND: AUTHORIZING $11,850 capital notes and $225,150 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law");

THIRD: DETERMINING AND DECLARING that the building will be of Class "A" construction and the period of probable usefulness of said specific object or purpose is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $11,850 capital notes authorized; AUTHORIZING AND DIRECTING the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may be in excess of five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,
Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, N.Y.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hughes, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Hughes

Sworn to before me this 6th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the reconstruction, in part, of the police-court building, stating the estimated maximum cost thereof is $237,000, appropriating said amount therefor, authorizing the issuance of $11,850 capital notes to provide the required down payment and $225,150 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to reconstruct, in part, the police-court building, in the Town, including original furnishings, equipment, machinery and apparatus required for the purpose for which said police-court building is to be used; STATING the estimated maximum cost thereof is $237,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $11,850 capital notes to provide the down payment required by law, the issuance of $225,150 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said notes and bonds as the same shall become due and payable;

SECOND: AUTHORIZING $11,850 capital notes and $225,150 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law");

THIRD: DETERMINING AND DECLARING that the building will be of Class "A" construction and the period of probable usefulness of said specific object or purpose is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $11,850 capital notes authorized; AUTHORIZING AND DIRECTING the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may be in excess of five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 12 Bond and Capital Note Resolution authorizing original improvement and embellishment of Town Park and Recreation Area, Town of Cheektowaga, New York.

*See next several pages for copy of Bond and Capital Note Resolution, Certifications and Affidavit of Publication.

RECEIVED
FEB 26 1981

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Wegner offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF A TOWN PARK AND RECREATION AREA, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $539,685, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $16,500 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $313,500 SERIAL BONDS OF THE TOWN TO FINANCE THE TOWN'S SHARE OF SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to originally improve and embellish a Town park and recreation area in the Town, including tennis courts, restoration of hardball diamond, installation of 8 inch water service and fountains, hiking and bike trails, and also including original furnishings, equipment, machinery or apparatus used in connection therewith. The estimated maximum cost of said specific object or purpose is $539,685 and said amount is hereby appropriated therefor. The plan of

financing includes the issuance of $16,500 capital notes to provide the down payment required by law and $313,500 serial bonds to finance the town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Capital notes of the Town in the principal amount of $16,500 and serial bonds of the Town in the principal amount of $313,500 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of originally improving and embellishing a Town park and recreation area, being the specific object or purpose for which said $16,500 capital notes and $313,500 serial bonds are to be issued, within the limitations of Section 11.00 a. 19 (b) of the Law, is twenty (20) years.

(b) Current funds are required to be provided prior to the issuance of the bonds authorized for said specific object or purpose or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $16,500 capital notes herein authorized to be issued. The Supervisor is hereby authorized and directed to set aside said

current funds and to apply the same solely to said specific object or purpose.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the notes and bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permisssive referendum.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Councilman Wegner offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of a Town park and recreation area, in the Town, stating the estimated maximum cost thereof is $539,685, appropriating said amount therefor, authorizing the issuance of $16,500 capital notes to provide the required down payment and $313,500 serial bonds of the Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of American and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to originally improve and embellish a Town park and recreation area in the Town; STATING the estimated maximum cost thereof is $539,685 and APPROPRIATING said amount therefor STATING the plan of financing includes the issuance of $16,500 capital notes to provide the down payment required by law and $313,500 serial bonds to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds;

SECOND: AUTHORIZING $16,500 capital notes and $313,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law"), to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of originally improving and embellishing a Town park and recreation area, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized for said specific object or purpose or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $16,500 capital notes authorized to be issued; AUTHORIZING AND DIRECTING the Supervisor the set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds authorized may exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux Councilman Burst and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 1981, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 1981

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, New York.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York.
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Pankowski
Notary Public, State of New York

VICKIE L. PANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

STATE OF NEW YORK
COUNTY OF ERIE } **ss.**
TOWN OF CHEEKTOWAGA

Gladys M. Hudston, **of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is** Clerk **of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for** 1 **weeks; first publication** March 5, 1981 **; last publication** March 5, 1981 **; and that no more than six days intervened between publications.**

Gladys M. Hudston

Sworn to before me this 6th

day of March, **19**81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of a Town park and recreation area, in the Town, stating the estimated maximum cost thereof is $539,685, appropriating said amount therefor, authorizing the issuance of $16,500 capital notes to provide the required down payment and $313,500 serial bonds of the Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds."

and abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to originally improve and embellish a Town park and recreation area in the Town; STATING the estimated maximum cost thereof is $539,685 and APPROPRIATING said amount therefor STATING the plan of financing includes the issuance of $16,500 capital notes to provide the down payment required by law and $313,500 serial bonds to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds;

SECOND: AUTHORIZING $16,500 capital notes and $313,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law"), to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of originally improving and embellishing a Town park and recreation area, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized for said specific object or purpose or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $16,500 capital notes authorized to be issued; AUTHORIZING AND DIRECTING the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds authorized may exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

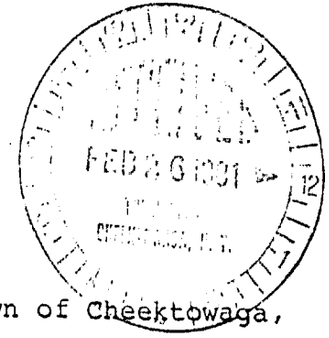
SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 13 Bond Resolution authorizing the construction of improvements to various Parks and Recreation Areas in Town of Cheektowaga, New York.

*See next several pages for copy of Bond Resolution, Certification and Affidavit of Publication.



EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at _____ o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor
and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent:
None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Rogowski offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS PARKS AND RECREATION AREAS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $200,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $200,000 SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct improvements to various parks and recreation areas, in the Town, including sodding of infields and aprons, drainage and other improvements in connection therewith. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $200,000 and said amount is hereby appropriated therefor. The plan of financing is the issuance of serial bonds and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable. Any grants received from the

United States of America and/or the State of New York shall be applied to the cost of said class of objects or purposes or the redemption of said bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of $200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of said class of objects or purposes for which the $200,000 bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town

without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst and Councilman Wegner and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Councilman Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Cheektowaga, in the County of Erie, New York, is hereby directed to publish the foregoing bond resolution, in full, in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, and having a general circulation therein, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Dux, Councilman Burst and Councilman Wegner and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 1981, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 1981

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 6th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE

The resolution published herewith has been adopted on the 2nd day of March, 1981, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS PARKS AND RECREATION AREAS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $200,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $200,000 SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct improvements to various parks and recreation areas, in the Town, including sodding of infields and aprons, drainage and other improvements in connection therewith. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is $200,000 and said amount is hereby appropriated therefor. The plan of financing is the issuance of serial bonds and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said class of objects or purposes or the redemption of said bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of $200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of said class of objects or purposes for which the $200,000 bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

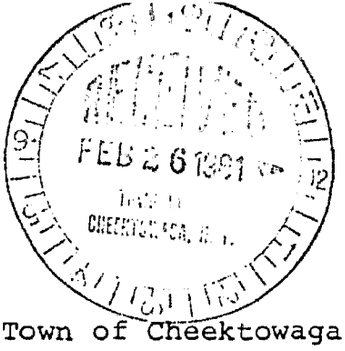
(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

PUBLISHED: March 5, 1981

Item No. 14 Bond and Capital Note Resolution authorizing acquisition of certain parcel of land in Town, as site of a park, to be known as Madeira Park.

*See next several pages for copy of Bond and Capital Note Resolution, Certifications and Affidavit of Publication.



EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor
and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent:
None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Johnson offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE ACQUISITION OF A CERTAIN PIECE OR PARCEL OF LAND, IN THE TOWN, AS THE SITE OF A PARK, TO BE KNOWN AS MADIERA PARK STATING THE ESTIMATED MAXIMUM COST THEREOF, IS $47,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $2,350 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $44,650 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to acquire a certain piece or parcel of land, in the Town, as the site of a Town park and recreation area, to be known as Madiera Park The estimated maximum cost of said specific object or purpose, including preliminary costs of surveys, maps, plans, estimates and costs incidental thereto and the financing thereof is $47,000 and appropriating said amount therefor. The plan of financing includes the issuance of $2,350 capital notes to provide the down payment required by law and $44,650 serial bonds of the Town to finance the balance of said

appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Capital notes of the Town in the principal amount of $2,350 and serial bonds of the Town in the principal amount of 44,650 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of acquiring said piece or parcel of land, being the specific object or purpose for which said $2,350 capital notes and $44,650 serial bonds are to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

(b) Current funds are required to be provided prior to the issuance of the bonds authorized for said specific object or purpose or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $2,350 capital notes herein authorized to be issued. The Supervisor is hereby authorized and directed to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the notes and bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permisssive referendum.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

~~AYES~~

NOES: 0

~~NOES~~

The resolution was declared adopted.

***

Councilman Johnson offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the acquisition of a certain piece or parcel of land, in the Town, as the site of a park, stating the estimated maximum cost thereof, is $47,000, appropriating said amount therefor, authorizing the issuance of $2,350 capital notes to provide the required down payment and $44,650 serial bonds of said Town to finance the balance of said appropriation and providing that an grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to acquire a certain piece or parcel of land, in the Town, to be known as Madiera Park as the site of a Town park and recreation area; STATING the estimated maximum cost thereof is $47,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $2,350 capital notes to provide the down payment required by law and $44,650 serial bonds of the Town to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds;

SECOND: AUTHORIZING $2,350 capital notes and $44,650 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law");

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of acquiring said piece or parcel of land, is thirty (30) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $2,350 capital notes authorized; AUTHORIZING AND DIRECTING the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may be in excess of five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church Bulletin board, Reiman and Crocker Streets, Sloan, New York
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public State of New York
Qualified in Erie County
My Commission Expires March 30, 19 83

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Duchts, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Duchts

Sworn to before me this 6th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the acquisition of a certain piece or parcel of land, in the Town, as the site of a park, stating the estimated maximum cost thereof, is $47,000, appropriating said amount therefor, authorizing the issuance of $2,350 capital notes to provide the required down payment and $44,650 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to acquire a certain piece or parcel of land, in the town, as the site of a Town park to be known as Madeira Park, and recreation area; STATING the estimated maximum cost thereof is $47,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $2,350 capital notes to provide the down payment required by law and $44,650 serial bonds of the Town to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds;

SECOND: AUTHORIZING $2,350 capital notes and $44,650 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law");

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of acquiring said piece or parcel of land, is thirty (30) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or any notes issued in anticipation of the sale of such bonds, and such current funds will be provided by the issuance of $2,350 capital notes authorized; AUTHORIZING AND DIRECTING the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to said specific object or purpose; STATING the proposed maturity of the bonds may be in excess of five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

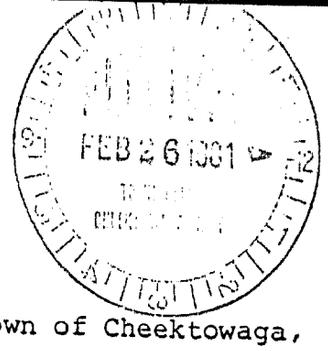
SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 15 Bond and Capital Note Resolution authorizing: 1.) Acquisition of certain parcel of land in Town as site of Park and Recreation Area, and 2.) Original improvement and embellishment of said site to be known as John C. Stiglmeier Park.

*See next several pages for Bond and Capital Note Resolution, Certifications and Affidavit of Publication.



EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Swiatek offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING (1) THE ACQUISITION OF A CERTAIN PIECE OR PARCEL OF LAND IN THE TOWN, AS THE SITE OF A PARK AND RECREATION AREA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $659,847, APPROPRIATING $659,847 THEREFOR, AUTHORIZING THE ISSUANCE OF $10,300 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $195,700 SERIAL BONDS OF SAID TOWN TO FINANCE THE TOWN'S SHARE OF SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK (ESTIMATED TO BE $453,847) SHALL BE APPLIED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS AND (2) THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF SAID SITE, TO BE KNOWN AS JOHN C. STIGLMEIER PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $400,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $20,000 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $380,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to acquire by purchase a certain piece or parcel of land, as the site of a Town park and recreation area. The estimated maximum cost of said specific object or purpose, including preliminary costs, costs of map, plans, surveys, estimates and costs incidental thereto and the financing thereof, is $659,847, and $206,000 is hereby appropriated therefor as the Town's share. The plan of financing includes the issuance of $10,300 capital notes and $195,700 serial bonds to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds. Any grants received from the United States of America and/or the State of New York (estimated to be $453,847) shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds. Capital notes of the Town in the principal amount of $10,300 and serial bonds of the Town in the principal amount of $195,700 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 2. The Town is hereby authorized to originally improve and embellish the site described in Section 1 hereof for use as a Town park and recreation area to be known as the John C. Stiglmeier Park, including pathways, baseball/softball diamonds, parking spaces, lighting and other improvements in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $400,000 and said amount is hereby

appropriated therefor. The plan of financing includes the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds of the Town to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds. Capital notes of the Town in the principal amount of $20,000 and serial bonds of the Town in the principal amount of $380,000 are hereby authorized to be issued pursuant to the provisions of the Law to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of acquiring said piece or parcel of land, being the specific object or purpose for which said $10,300 capital notes and $195,700 serial bonds are to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

(b) The period of probable usefulness of originally improving and embellishing said site, being the specific object or purpose for which said $20,000 capital notes and $380,000 serial bonds are to be issued, within the limitations of Section 11.00 a. 19 (b) of the Law, is twenty (20) years.

(c) Current funds are required to be provided prior to the issuance of the bonds authorized for said specific objects or purposes hereinabove described in Sections 1 and 2 hereof or of any notes in anticipation of the sale of said bonds, and such

current funds will be provided from the proceeds of the $10,300 capital notes and $20,000 capital notes herein authorized in Sections 1 and 2 hereof to be issued. The Supervisor is hereby authorized and directed to set aside said current funds and to apply the same solely to said specific objects or purposes described in Sections 1 and 2 hereof.

(d) The proposed maturity of the bonds authorized by this resolution shall exceed five (5) years.

Section 4. Each of the notes and bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and

issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permisssive referendum.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Johnson, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Councilman Swiatek offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain peice or parcel of land in the Town, as the site of a park and recration area, stating the estimated maximum cost thereof is $659,847, appropriating $659,847 therefor, authorizing $10,300 capital notes to provide the required down payment and $195,700 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York (estimated to be $453,847) shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as John C. Stiglmeier Park, stating the estimated maximum cost thereof is $400,000, appropriating said amount therefor, authorizing the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to acquire by purchase a certain piece or parcel of land, as the site of a Town park and recreation area; STATING the estimated maximum cost thereof is $659,847 and APPROPRIATING $659,847 therefor; STATING the plan of financing includes the issuance of $10,300 capital notes to provide the required down payment and $195,700 serial bonds to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York (estimated to be $453,847) to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $10,300 capital notes of the Town and $195,700 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

SECOND: AUTHORIZING the Town to originally improve and embellish the site hereinabove described for use as a Town park and recreation area to be known as the John C. Stiglmeier Park; STATING the estimated maximum cost thereof is $400,000 and

APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $20,000 capital notes of the Town and $380,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of acquiring said piece or parcel of land is thirty (30) years; that the period of probable usefulness of originally improving and embellishing said site, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized for said specific objects or purposes or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $10,300 capital notes and $20,000 capital notes authorized and AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and to apply the same solely to said specific objects or purposes; and STATING the proposed maturity of the bonds authorized shall exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Johnson, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, N.Y.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York.
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified
My Commission Expires March 30, 1983

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Leuster, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Leuster

Sworn to before me this 6th day of March, 1981

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $659,847, appropriating $659,847 therefor, authorizing $10,300 capital notes to provide the required down payment and $195,700 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York (estimated to be $453,847) shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as John C. Stiglmeier Park, stating the estimated maximum cost thereof is $400,000, appropriating said amount therefor, authorizing the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds of said Town to finance the balance of said appropration and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to acquire by purchase a certain piece or parcel of land, as the site of a Town park and recreation area; STATING the estimated maximum cost thereof is $659,847 and APPROPRIATING $659,847 therefor; STATING the plan of financing includes the issuance of $10,300 capital notes to provide the required down payment and $195,700 serial bonds to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York (estimated to be $453,847) to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $10,300 capital notes of the Town and $195,700 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

SECOND: AUTHORIZING the Town to originally improve and embellish the site hereinabove described for use as a Town park and recreation area to be known as the John C. Stiglmeier Park; STATING the estimated maximum cost thereof is $400,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $20,000 capital notes to provide the required down payment and $380,000 serial bonds to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $20,000 capital notes of the Town and $380,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of acquiring said piece or parcel of land is thirty (30) years; that the period of probable usefulness or originally improving and embellishing said site, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized for said specific objects or purposes or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $10,300 capital notes and $20,000 capital notes authorized and AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and to apply the same solely to said specific objects or purposes; and STATING the proposed maturity of the bonds authorized shall exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 16 Bond and Capital Note Resolution authorizing original improvement and embellishment of (1) Raymond, (2) Theodore Roosevelt, (3) Northcreek/Southcreek, and (4) Nokomis Playgrounds.

*See next several pages for copy of Bond and Capital Note Resolution, Certifications and Affidavit of Publication.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,

in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Johnson offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF TOWN PARKS AND PLAYGROUNDS WITHIN THE TOWN STATING THE ESTIMATED TOTAL COST OF SAID CLASS OF OBJECTS OR PURPOSES IS $200,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $10,000 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $190,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE TOWN'S SHARE OF SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AN INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is herebp authorized to originally improve and embellish Town Parks and Playgrounds within the Town, including softball and baseball diamoads, pedestrian walks, children's play equipment, basketball and tennis courts, picnic shelters, restrooms, football and soccer fields, track, handball courts, bike paths, pedestrian bridge, horseshoe court, drainage, parking and also including original furnishings, equipment, machinery and apparatus in connection therewith at an estimated maximum cost of $200,000 and appropriating said amount therefor.

Section 2. The estimated total cost of all items of said class of objectsor purposes including preliminary costs and costs incidental thereto and the financing thereof is $ 200,000. The plan of financing includes the issuance of $ 10,000 capital notes to provide the required down payment and $190,000 serial bonds of the Town to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said class of objects or purposes or the redemption of said notes

or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds. Capital notes of the Town in the principal amount of $10,000 and serial bonds of the Town in the principal amount of $190,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of originally improving and embellishing Town parks and playgrounds, being of a class of objects or purposes for which the $ 10,000 capital notes and $190,000 serial bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 19 (b) of the Law, is twenty (20) years.

(b) Current funds are required by the law to be provided as a down payment prior to the making of expenditures for a specific capital improvement from the proceeds of the bonds herein authorized or any notes in anticipation of the sale of such bonds or from a fund into

which said proceeds are paid and the appropriate amount of such current funds will be provided from the proceeds of said $10,000 capital notes herein authorized to be issued. The Supervisor is hereby authorized and directed to set aside the proceeds of said capital notes and to apply the same solely to each item of the specific object or purpose.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the notes and bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town

Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permisssive referendum.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Councilman Johnson offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board df the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of Town Parks and Playgrounds within the Town stating the estimated total cost of said class of objects or purposes is $200,000, appropriating said amount therefor, authorizing the issuance of $10,000 capital notes to provide the required down payment and $190,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or pruposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest dn said bonds,"

an abstract of such resolution, concisely stating the purposes and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), to originally improve and embellish Town Parks and Playgrounds within the Town, stating the estimated total cost of all class of objects or purposes is $200,000 and appropriating said amount therefor; stating the plan of fi nancing includes the issuance of $10,000 capital notes to provide the required down payment and $190,000 serial bonds of the Town to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; authorizing any grants received from the United States of America and/or the State of New York to be applied to the cost of said class of objects or purposes or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds; authorizing $10,000 capital notes and $190,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation.

SECOND: DETERMINING AND DECLARING that the period of probable usefulness of originally improving and embellishing Town Parks and Playgrounds of a class of objects or purposes, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $10,000 capital notes authorized to be issued; authorizing and directing the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to such class of objects or purposes; stating the proposed maturity of the bonds authorized may exceed five (5) years;

THIRD: DETERMINING that said capital notes and serial bonds and any notes issued in ancitipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FOURTH: DELEGATING tothe Supervisor the powers and duties as to the issuance of said notes and bonds and any bond ancitipation notes, inlcuding renewals thereof;

FIFTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Dux, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, N. Y.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall Bulletin board - George Urban Boulevard, Cheektowaga, New York
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Dudek, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is .....Clerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for .....1..... weeks; first publication.....March 5, 1981.....; last publication.....March 5, 1981.....; and that no more than six days intervened between publications.

Gladys M. Dudek

Sworn to before me this .....6th.....

day of .....March....., 19..81.

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing the original improvement and embellishment of Town Parks and Playgrounds within the Town stating the estimated total cost of said class of objects or purposes is $200,000, appropriating said amount therefor, authorizing the issuance of $10,000 capital notes to provide the required down payment and $190,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants received from the United States of America and/or the State of New York shall be applied towards the cost of said class of objects or purposes or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purposes and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), to originally improve and embellish Town Parks and Playgrounds within the Town, stating the estimated total cost of all class of objects or purposes is $200,000 and appropriating said amount therefor; stating the plan of financing includes the issuance of $10,000 capital notes to provide the required down payment and $190,000 serial bonds of the Town to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; authorizing any grants received from the United States of America and/or the State of New York to be applied to the cost of said class of objects or purposes or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds; authorizing $10,000 capital notes and $190,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation.

SECOND: DETERMINING AND DECLARING that the period of probable usefulness of originally improving and embellishing Town Parks and Playgrounds of a class of objects or purposes, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $10,000 capital notes authorized to be issued; authorizing and directing the Supervisor to set aside the proceeds of said capital notes and to apply the same solely to such class of objects or purposes; stating the proposed maturity of the bonds authorized may exceed five (5) years;

THIRD: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FOURTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

FIFTH: DETERMINING that this resolution is subject to a permissive reerendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 17 Bond and Capital Note Resolution authorizing: 1.) Acquisition of certain parcel of land in Town as site of Park and Recreation Area, and 2.) Original improvement and embellishment of said site, to be known as Nob Hill Park.

*See next several pages for copy of Bond and Capital Note Resolution, Certifications and Affidavit of Publication.

RECEIVED
FEB 26 1981

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

March 2, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on March 2, 1981, at 7:00 o'clock P.M. (E.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor
and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent: None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

Councilman Dux offered the following resolution and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 1981, AUTHORIZING (1) THE ACQUISITION OF A CERTAIN PIECE OR PARCEL OF LAND IN THE TOWN, AS THE SITE OF A PARK AND RECREATION AREA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $60,000 , APPROPRIATING $ 60,000 THEREFOR, AUTHORIZING THE ISSUANCE OF $ 3,000 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $ 57,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE TOWN'S SHARE OF SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS AND (2) THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF SAID SITE, TO BE KNOWN AS NOB HILL PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $ 70,000 APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF $ 3,500 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT AND $66,500 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION AND PROVIDING THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK SHALL BE APPLIED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to acquire by purchase a certain piece or parcel of land, as the site of a Town park and recreation area. The estimated maximum cost of said specific object or purpose, including preliminary costs, costs of map, plans, surveys, estimates and costs incidental thereto and the financing thereof, is $ 60,000 , and $60,000 is hereby appropriated therefor as the Town's share. The plan of financing includes the issuance of $ 3,000 capital notes and $ 57,000 serial bonds to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes and bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds. Capital notes of the Town in the principal amount of $ 3,000 and serial bonds of the Town in the principal amount of $57,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 2. The Town is hereby authorized to originally improve and embellish the site described in Section 1 hereof for use as a Town park and recreation area to be known as the Knob Hill Park , including grubbing, grading softball diamond , parking spaces, tennis and basket/ ball courts and other improvements in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $70,000 and said amount is hereby

appropriated therefor. The plan of financing includes the issuance of $ 3,500 capital notes to provide the required down payment and $ 66,500 serial bonds of the Town to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds. Capital notes of the Town in the principal amount of $3,500 and serial bonds of the Town in the principal amount of $66,500 are hereby authorized to be issued pursuant to the provisions of the Law to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of acquiring said piece or parcel of land, being the specific object or purpose for which said $ 3,000 capital notes and $ 57,000 serial bonds are to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

(b) The period of probable usefulness of originally improving and embellishing said site, being the specific object or purpose for which said $3,500 capital notes and $66,500 serial bonds are to be issued, within the limitations of Section 11.00 a. 19 (b) of the Law, is twenty (20) years.

(c) Current funds are required to be provided prior to the issuance of the bonds authorized for said specific objects or purposes hereinabove described in Sections 1 and 2 hereof or of any notes in anticipation of the sale of said bonds, and such

current funds will be provided from the proceeds of the $3,000 capital notes and $ 3,500 capital notes herein authorized in Sections 1 and 2 hereof to be issued. The Supervisor is hereby authorized and directed to set aside said current funds and to apply the same solely to said specific objects or purposes described in Sections 1 and 2 hereof.

(d) The proposed maturity of the bonds authorized by this resolution shall exceed five (5) years.

Section 4. Each of the notes and bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and

issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permisssive referendum.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Burst, Councilman Wegner and Councilman Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

Councilman Dux offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond and capital Note resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof cause to be published at least once in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby disignated the official newspaper of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond and capital note resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall b in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain peice or parcel of land in the Town, as the site of a park and recration area, stating the estimated maximum cost thereof is $ 60,000, appropriating $60,000 therefor, authorizing $3,000 capital notes to provide the required down payment and $57,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as Knob Hill Park, stating the estimated maximum cost thereof is $ 70,000 appropriating said amount therefor, authorizing the issuance of $ 3,500 capital notes to provide the required down payment and $ 66,500 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to acquire by purchase a certain piece or parcel of land, as the site of a Town park and recreation area; STATING the estimated maximum cost thereof is $60,000 and APPROPRIATING $ 60,000 therefor; STATING the plan of financing includes the issuance of $3,000 capital notes to provide the required down payment and $ 57,000 serial bonds to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $ 3,000 capital notes of the Town and $ 57,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

SECOND: AUTHORIZING the Town to originally improve and embellish the site hereinabove described for use as a Town park and recreation area to be known as the Knob Hill Park; STATING the estimated maximum cost thereof is $ 70,000 and

APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $ 3,500 capital notes to provide the required down payment and $ 66,500 serial bonds to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $ 3,500 capital notes of the Town and $ 66,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of acquiring said piece or parcel of land is thirty (30) years; that the period of probable usefulness of originally improving and embellishing said site, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized for said specific objects or purposes or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $. 3,000 capital notes and $ 3,500 capital notes authorized and AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and to apply the same solely to said specific objects or purposes; and STATING the proposed maturity of the bonds authorized shall exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

DATED: MARCH 2, 1981

RICHARD M. MOLESKI,

Town Clerk

Section 3. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Supervisor Meyers, Councilman Swiatek, Councilman Johnson, Councilman Burst, Councilman Wegner and ~~Councilman Rogowski~~ and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

***

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 2, 19 81, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 2nd day of March, 19 81

Richard M. Moleski
Town Clerk

(Seal)

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all times hereinafter mentioned, he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a Notice containing an abstract of a bond and capital note resolution adopted March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in the following places and that said places consitute at least five (5) of the most public places in said Town:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, New York.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York.
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Fuchs of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Fuchs

Sworn to before me this 6th

day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 1981, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted March 2, 1981, authorizing (1) the acquisition of a certain piece or parcel of land in the Town, as the site of a park and recreation area, stating the estimated maximum cost thereof is $60,000, appropriating $60,000 therefor, authorizing $3,000 capital notes to provide the required down payment and $57,000 serial bonds of said Town to finance the Town's share of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds and (2) the original improvement and embellishment of said site, to be known as Nob Hill Park, stating the estimated maximum cost thereof is $70,000 appropriating said amount therefor, authorizing the issuance of $3,500 capital notes to provide the required down payment and $66,500 serial bonds of said Town to finance the balance of said appropriation and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds."

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to acquire by purchase a certain piece or parcel of land, as the site of a Town park and recreation area; STATING the estimated maximum cost thereof is $60,000 and APPROPRIATING $60,000 therefor; STATING the plan of financing includes the issuance of $3,000 capital notes to provide the required down payment and $57,000 serial bonds to finance the Town's share of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $3,000 capital notes of the Town and $57,000 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

SECOND: AUTHORIZING the Town to originally improve and embellish the site hereinabove described for use as a Town park and recreation area to be known as the Nob Hill Park; STATING the estimated maximum cost thereof is $70,000 and APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of $3,500 capital notes to provide the required down payment and $66,500 serial bonds to finance the balance of said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds; AUTHORIZING any grants received from the United States of America and/or the State of New York to be applied to the cost of said specific object or purpose or the redemption of said notes or bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for payment of the principal of and interest on said bonds; AUTHORIZING $3,500 capital notes of the Town and $66,500 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law") to finance said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of acquiring said piece or parcel of land is thirty (30) years; that the period of probable usefulness of originally improving and embellishing said site, is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds authorized for said specific objects or purposes or of any notes in anticipation of the sale of said bonds, and such current funds will be provided from the proceeds of the $3,000 capital notes and $3,500 capital notes authorized and AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and to apply the same solely to said specific objects or purposes; and STATING the proposed maturity of the bonds authorized shall exceed five (5) years;

FOURTH: DETERMINING that said capital notes and serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond anticipation notes, including renewals thereof;

SIXTH: DETERMINING that this resolution is subject to a permissive referendum.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Rogowski

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of road materials, for use by the Cheektowaga Highway Department; said road materials being: stone, asphalt, winter mix, road oil, plant mixed concrete, etc. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., March 16, 1981, for the purpose of opening and reading the sealed bids.

* *

LEGAL NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at the Town Board Meeting of March 16, 1981, at 7:00 P.M. Seasonal requirements are as follows:

STONE----------VARIOUS SIZES
ASPHALT----------PLANT MIX, BLACK TOP - various sizes
WINTER MIX----------PLANT MIXED - ALL WEATHER STOCKPILE
patching material - various sizes
ROAD OIL----------LIQUID AND TAR PENETRATION AND SURFACE TREATING -
various sizes
PLANT MIXED CONCRETE-----VARIOUS SIZES, (bulk and bagged)
TOP SOIL----------REGULAR, SHREDDED AND SCREENED
CONCRETE BLOCKS, CEMENT, MORTAR, GRAVEL AND GRIT

NOTE: Pick up by the Town Highway trucks to be within a 15 mile distance.

Information for bidders and specifications may be obtained from the office of Alfred F. Wnek, Superintendent of Highways, at his office located at 3145 Union Road, South Cheektowaga, New York. Proposals must be enclosed and sealed in an opaque envelope plainly marked "SEALED BID FOR SEASONAL ROAD MATERIALS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

RICHARD MOLESKI - TOWN CLERK

DATED: February 24, 1981
PUBLISHED: March 5, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Fechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Fechter

Sworn to before me this 6th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

TOWN OF CHEEKTOWAGA
NEW YORK
LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at the Town Board meeting of March 16, 1981, at 7:00 P.M. Seasonal requirements are as follows:

Stone - Various Sizes

Asphalt - Plant Mix, Black Top - Various Sizes

Winter Mix - Plant Mixed - All Weather Stockpile Patching Material - Various Sizes

Road Oil - Liquid and Tar Penetration and Surface Treating - Various Sizes

Plant Mixed Concrete - Various Sizes (Bulk and Bagged)

Top Soil - Regular, Shredded and Screened

Concrete Blocks, Cement, Mortar, Gravel and Grit

NOTE: Pickup by the Town Highway trucks to be within a 15 mile distance.

INFORMATION FOR Bidders and Specifications may be obtained from the office of Alfred F. Wnek, Supt. of Highways at his office located at 3145 Union Rd., South Cheektowaga, New York. Proposals must be enclosed and sealed in an opaque envelope plainly marked "Sealed Bid for Seasonal Road Materials for the Town of Cheektowaga Highway Department".

Non-collusion forms must be signed and submitted with each bid. The Supt. of Highways may reject any or all bids submitted.

RICHARD M. MOLESKI
Town Clerk

DATED: February 24, 1981
PUBLISHED: March 5, 1981

Item No. 19 Motion by Councilman Rogowski, seconded by Councilman Wegner

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of various new equipment for the Cheektowaga Highway Department; said new equipment being:

Five (5)	-	new - 4 x 4 - 4-Wheel drive cab and chassis trucks for snow removal
Three (3)	-	new - single axle cab and chassis for snow removal
Two (2)	-	new - street sweepers - vacuum type
One (1)	-	new - 3 cubic yard loader - with rubber tires
One (1)	-	new - Hydraulic Excavator - with rubber tires
Eight (8)	-	new - 10 ft. x 7 ft. dump bodies and hoists

The following equipment will be submitted as trade ins:

Four (4)	-	Street Sweepers
One (1)	-	1959 Warner Swasey Gradall
One (1)	-	Allis Chalmer Hi Lift on cats

Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., March 16, 1981 for the purpose of opening and reading the sealed bids, and BE IT FURTHER

RESOLVED that the above equipment is to be purchased on an approved Bond Issue.

* *

LEGAL NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

NOTICE IS HEREBY GIVEN that separate sealed proposals will be received, opened and read by the Town Board of the Town of Cheektowaga, New York, at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Roads, in the Town of Cheektowaga, New York, at 7:00 P.M. Eastern Standard Time, on March 16, 1981, for the following equipment for the Cheektowaga Highway Department:

Five (5)-------new - 4 x 4 - 4-wheel drive cab and chassis trucks for snow removal
Three (3)------new - single axle cab and chassis trucks for snow removal
Two (2)--------new - street sweepers - vacuum type
One (1)--------new - 3 cubic yard loader - with rubber tires
One (1)--------new - Hydraulic Excavator - with rubber tires
Eight (8)------new - 10 ft. x 7 ft. dump bodies and hoists

In order to be considered all bids must be filed with the undersigned Town Clerk, prior to the time of opening thereof. Information for bidders and specifications may be obtained from ALFRED F. WNEK, Superintendent of Highways at his office located at 3145 Union Road, (near Broadway) - Cheektowaga, New York. Proposals must be enclosed and sealed in OPAQUE envelopes and clearly marked with the name of the bidder, and marked "SEALED BID FOR EQUIPMENT FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

Non-collusion forms must be signed and submitted with each bid.

RICHARD M. MOLESKI, TOWN CLERK

Item No. 19 Cont'd.

DATED: February 25, 1981
PUBLISHED: March 5, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Seebeter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Seebeter

Sworn to before me this 6th day of March, 19 81

Naidine C Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

LEGAL NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA
NEW YORK

NOTICE IS HEREBY GIVEN that separate sealed proposals will be received, opened and read by the Town Board of the Town of Cheektowaga, New York, at a meeting thereof to be held at the Town Hall, corner Broadway and Union Roads, in the Town of Cheektowaga, New York, at 7:00 P.M. E.S.T., on March 16, 1981, for the following equipment for the Cheektowaga Highway Department:

Five (5) – new – 4x4 – 4 wheel drive cab and chassis trucks for snow removal

Three (3) – new – single axle cab and chassis trucks for snow removal

Two (2) – new – street sweepers - vacuum type

One (1) – new – 3 cubic yard Loader - with rubber tires

One (1) – new – Hydraulic excavator - with rubber tires

Eight (8) – new – 10 ft. x 7 ft. dump bodies and hoists

In order to be considered all bids must be filed with the undersigned Town Clerk, prior to the time of opening thereof. Information for bidders and specifications may be obtained from ALFRED F. WNEK, Supt. of Highways at his office located at 3145 Union Rd., (near Broadway) - Cheektowaga, New York. Proposals must be enclosed and sealed in OPAQUE envelopes and clearly marked with the name of the bidder, and marked "SEALED BID FOR EQUIPMENT FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

NON COLLUSION forms must be signed and submitted with each bid.

RICHARD M. MOLESKI
Town Clerk

DATED: February 25, 1981
PUBLISHED: March 5, 1981

Item No. 20 Motion by Councilman Swiatek, seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Pool Maintenance Chemicals for the fiscal year, 1981, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of said Pool Maintenance Chemicals, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that the specifications for said Pool Maintenance Chemicals be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department at the Cheektowaga Recreation Center, 2600 Harlem Road, and BE IT FURTHER

RESOLVED, that the Town Board will meet on the 16th day of March, 1981, at 7:00 P.M. for the purpose of receiving sealed bids at a public meeting called for that purpose.

* *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 16th day of March, 1981 at 7:00 P.M., Eastern Standard Time at Town Hall, Broadway and Union Roads, for the furnishing of Pool Maintenance Chemicals for the fiscal year, 1981.

Information for Bidders and Specifications may be obtained from the Town Clerk at his Office in Town Hall.

The Town Board reserves the right to consider informal any Bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low Bidder, should it be in the best interest of the Town of Cheektowaga, or reject any or all bids.

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI, TOWN CLERK

DATED: March 2, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 6th

day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 16th day of March, 1981, at 7:00 p.m., Eastern Standard Time at Town Hall, Broadway and Union Roads, for the furnishing of Pool Maintenance Chemicals for the fiscal year, 1981.

Information for Bidders and Specifications may be obtained from the Town Clerk at his Office in Town Hall.

The Town Board reserves the right to consider informal any Bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low Bidder, should it be in the best interest of the Town of Cheektowaga, or reject any or all bids.

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 5, 1981

Item No. 21 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Michael F. Sebastiano has made application and requested the rezoning of property located at 4042 Union Road from R-Residential to RC-Restricted Business District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 16, 1981 at 6:30 o'clock P.M., Eastern Standard Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE } ss.
TOWN OF CHEEKTOWAGA

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 6th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of March 1981, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Michael F. Sebastiano to Rezone from R-Residential, District to RC-Restricted Business District on property located at 4042 Union Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 5, 1981

Item No. 22 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, George R. Beckett has made application and requested the rezoning of property located at 3445 Union Road from C-Retail Business to CM-General Commercial, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 16, 1981 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hughes, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Hughes

Sworn to before me this 6th

day of March, 1981.

Nadine C. Williams

Notary public in and for Erie County, N. Y.

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of March 1981, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of George R. Beckett to Rezone from C-Retail Business District to CM-General Commercial District on property located at 3445 Union Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 5, 1981

Item No. 23 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, David J. Lueke has made application and requested the rezoning of property located at 1335-1371 French Road from RA-Apartment District to RC-Restricted Business, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 16, 1981 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Deshler, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Deshler

Sworn to before me this 6th

day of March, 19 81

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

Legal Notice

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of March 1981, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of David J. Lueke to Rezone from RA-Apartment District to RC-Restricted Business District on property located at 1335-1371 French Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 5, 1981

Item No. 24 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the Building and Plumbing Inspector and Planning Board of the Town of Cheektowaga have recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 6th day of April, 1981 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of said Hearing.

* * * * * * * * * * * * * * * * * * * *

N O T I C E O F H E A R I N G

ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 2nd day of March, 1981, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of April, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED that ARTICLE I - GENERAL PROVISIONS, Section 1-40 which pertains to the Interpretation of Permitted Uses shall be amended by the inclusion therein, after the words "in performance as", the word "not" so that the second paragraph of such Section shall read as follows:

> In the case of a use not listed separately or in an inclusive use listing as a permitted use in any zoning district, no building permit or certificate of zoning compliance shall be issued for such use unless and until this ordinance has been amended including such use as a permitted use in an appropriate zoning district, or the Zoning Board of Appeals has made a ruling under Section 9-111 that the use in question is of such similarity in performance as <u>not</u> to be objectionable for the Zoning District.

2. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 A.6., which relates to the principal permitted uses in a R-Residence District "By special permit authorized by Town Board", shall be amended by the enactment of a new subdivision (c) thereunder as follows:

(c) Windmills or other energy generating devices.

3. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 B.5., which relates to a private swimming pool as an accessory use in a R-Residence District, shall be amended by the inclusion therein, after the words "Private swimming pool", the words "or Pool Deck", and by the inclusion therein of the words "is a minimum of 5 feet from the rear lot line" so that such subsection shall read in pertinent part as follows:

> 5. Private swimming pool or <u>pool deck</u>, provided that it is located in the rear of the front set-back line, <u>is a minimum of 5 feet from the rear lot line</u> and does not occupy any part of a required side yard.

Item No. 24 Cont'd.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Dated: March 2, 1981

RICHARD M. MOLESKI
Town Clerk

* *

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES:	0
ABSENT:	0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Fuchs, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 19, 1981; last publication March 19, 1981; and that no more than six days intervened between publications.

Gladys M. Fuchs

Sworn to before me this 20th day of March, 1981

Naidine C Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 81

NOTICE OF HEARING ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 2nd day of March, 1981, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of April, 1981 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED that ARTICLE I - GENERAL PROVISIONS, Section 1-40 which pertains to the Interpretation of Permitted Uses shall be amended by the inclusion therein, after the words "in performance as", the word "not" so that the second paragraph of such Section shall read as follows:

In the case of a use not listed separately or in an inclusive use listing as a permitted use in any zoning district, no building permit or certificate of zoning compliance shall be issued for such use unless and until this ordinance has been amended including such use as a permitted use in an appropriate zoning district, or the Zoning Board of Appeals has made a ruling under Section 9-111 that the use in question is of such similarity in performance as not to be objectionable for the Zoning District.

2. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 A.6., which relates to the principal permitted uses in a R-Residence District "By special permit authorized by Town Board", shall be amended by the enactment of a new subdivision (c) thereunder as follows:

(c) Windmills or other energy generating devices.

3. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS, Section 2-01 B.5., which relates to a private swimming pool as an accessory use in a R-Residence District, shall be amended by the inclusion therein, after the words "Private swimming pool", the words "or Pool Deck", and by the inclusion therein of the words "is a minimum of 5 feet from the rear lot line" so that such subsection shall read in pertinent part as follows:

5. Private swimming pool or pool deck, provided that it is located in the rear of the front set back line, is a minimum of 5 feet from the rear lot line and does not occupy any part of a required side yard.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: March 2, 1981
PUBLISHED: March 19, 1981

Item No. 25 Decision on Rezoning: 500 Dick Road.
Item Withdrawn.

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinances and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 2nd day of February, 1981 at 7:00 P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

* *

AMENDMENTS TO ZONING ORDINANCE

1. RESOLVED that ARTICLE II - RESIDENCE DISTRICT REGULATIONS shall be amended by the inclusion of the following sections:

2-30 Senior Citizen Housing

2-31 A. Permitted Uses

1. The housing of persons 62 years of age and older, or in a conjugal relationship where one of two persons is 62 years of age or more, or handicapped persons below 62 years of age, in residential complex. Said persons to be able to live in the main stream of society without special medical and/or special supervisory care.

B. Accessory Uses

1. Uses supplemental to providing services and activities for tenants of the housing complex.

2-32 Required Lot Size -- Unless otherwise provided the minimum lot size shall be as specified in this section.

2-321 - Lot Width

a. 100' minimum

- Lot Area

a. Lot area shall be determined by the number and size of units in the Senior Citizen Housing complex respecting the following:

UNIT SIZE	LOT AREA
780 square feet or less	1800 square feet/unit
781 square feet or more	2250 square feet/unit

2-33 Required Open Space -- Unless otherwise provided the minimum required open spaces shall be as specified in this section.

Item No. 26 Cont'd.

2-331 - Front Yard -- 50 feet

2-332 - Side Yards -- (two required)

a. Dwelling up to 50 feet in height -- The minimum width of any side yard shall be 20 feet; the total width of both side yards shall not be less than 50 feet.

b. Emergency vehicle access -- A perimeter road around the building will be provided for emergency vehicles; said road will be a minimum of 16 feet wide, hard surface and be restricted from parking thereon. Furthermore, parking will be restricted between the building and the perimeter road. The perimeter road will be designated as a fire lane.

c. Other Principal Buildings -- Each side yard shall equal 15 feet or a distance equal to one-half the height of the principal building, whichever is greater.

2-333 - Rear Yard -- Equal to 25 percent of the lot depth, but shall not be less than 25 feet or a distance equal to one-half the height of the principal building, whichever is greater.

2-334 - Open Space Between Principal Buildings on a Single Lot -- No vertical wall of the principal building shall be nearer to a vertical wall of any other principal building than 30 feet or a distance equal to the average height of such vertical walls measured from adjoining finished grade, whichever is greater.

2-335 - Recreation Open Space -- A minimum of one hundred (100) square feet per unit must be provided and designated as open space designed for social or recreational purposes.

2-34 Maximum Height of Buildings -- The maximum height of a building at any point shall be 50 feet.

2-35 Senior Citizen Housing Approval -- Recommendation for approval of Senior Citizen Housing by the Planning Board shall be subject to the submission of a "Development Plan" as governed by Section 10-10 of this Ordinance. Furthermore, the developer of Senior Citizen Housing will submit a notorized affidavit indicating that any future re-use of the Senior Citizen Housing for anything other than Senior Citizen Housing will not be permitted without approval by the Town Board.

2-36 Density Adjustments in Senior Citizen Housing

2-361 - Density Adjustment Approval -- Approval of a Density Adjustment is subject to the filing of a dated "Development Plan" with the Planning Board. Recommendation for approval by the Planning Board of the dated "Development Plan" will mean no building permits will be issued thereafter unless such permit is in accordance with the recommended "Development Plan."

2-362 - Density Bonus Adjustment -- The minimum lot area per dwelling unit for Senior Citizen Housing may be subject to adjustment, decreasing the requirements to a maximum deduction of one hundred (100) square feet per unit of lot area based on compliance with the following:

A. Landscaped parking

(1) Purpose. To improve the appearance of parking lots and reduce the visual impact of parked automobiles by means of buffering.

(2) Qualifying standards.

(a) Landscaping and/or a solid wood or brick fence may be used to buffer parking areas.

1. Landscaping will, at maturity, reach 4 feet in height and provide a continuous buffer.

Item No. 26 Cont'd.

2. Fencing will not be less than 3 feet 6 inches or more than 4 feet 6 inches in height.

2. RESOLVED that ARTICLE V - OFF-STREET PARKING REGULATIONS, Section 5-01, which relates to the requirement of parking spaces for dwellings, shall be amended by the enactment of a new subsection 5-01 (e) thereunder to read as follows:

(e) Senior Citizen Housing

(1) One (1) space for every two (2) units.

(2) One (1) additional handicapped parking space for every ten (10) required parking spaces.

(3) One (1) visitor parking space for every four (4) units.

3. RESOLVED that ARTICLE VI - SUPPLEMENTAL REGULATIONS, Section 6-09, which relates to livable ground floor area for dwellings, shall be amended by the inclusion therein of the following new paragraph:

An exception is provided for Senior Citizen Housing whereupon minimum dwelling space shall be governed by U.S. Department of Housing and Urban Development Minimum Property Standards.

* *

BE IT FURTHER RESOLVED that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on March 2, 1981; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Zoning Ordinance of the Town of Cheektowaga, New York" shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT-NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Luchter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 5, 1981; last publication March 5, 1981; and that no more than six days intervened between publications.

Gladys M. Luchter

Sworn to before me this 6th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of March, 1981 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

ABSENT: 0

Motion by Councilman Johnson
Seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinances and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 2nd day of February, 1981 at 7:00 P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below,

NOW, THEREFORE, BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

AMENDMENTS TO ZONING ORDINANCE

1. RESOLVED THAT ARTICLE II - RESIDENCE DISTRICT REGULATIONS shall be amended by the inclusion of the following sections:

2-30 Senior Citizen Housing

2-31 A. Permitted Uses

1. The housing of persons 62 years of age and older, or in a conjugal relationship where one of two persons is 62 years of age or more, or handicapped persons below 62 years of age, in residential complex. Said persons to be able to live in the main stream of society without special medical and/or special supervisory care.

B. Accessory Uses

1. Uses supplemental to providing services and activities for tenants of the housing complex.

2-32 Required Lot Size -- Unless otherwise provided the minimum lot size shall be as specified in this section.

2-321 - Lot Width

a. 100' minimum

- Lot Area

a. Lot area shall be determined by the number and size of units in the Senior Citizen Housing complex respecting the following:

UNIT SIZE	LOT AREA
780 square feet or less	1800 square feet/unit
781 square feet or more	2250 square feet/unit

2-33 Required Open Space -- Unless otherwise provided the minimum required open spaces shall be as specified in this section.

2-331 - Front Yard -- 50 feet

2-332 - Side Yards -- (two required)

a. Dwelling up to 50 feet in height -- The minimum width of any side yard shall be 20 feet; the perimeter road will be designated as a fire lane.

c. Other Principal Buildings -- Each side yard shall equal 15 feet or a distance equal to one-half the height of the principal building, whichever is greater.

2-333 - Rear Yard -- Equal to 25 percent of the lot depth, but shall not be less than 25 feet or a distance equal to one-half the height of the principal building, whichever is greater.

2-334 - Open Space Between Principal Buildings on a Single Lot -- No vertical wall of the principal building shall be nearer to a vertical wall of any other principal building than 30 feet or a distance equal to the average height of such vertical walls measured from adjoining finished grade, whichever is greater.

2-335 - Recreation Open Space -- A minimum of one hundred (100) square feet per unit must be provided and designated as open space designed for social or recreational purposes.

2-34 Maximum Height of Buildings -- The maximum height of a building at any point shall be 50 feet.

2-35 Senior Citizen Housing Approval -- Recommendation for approval of Senior Citizen Housing by the Planning Board shall be subject to the submission of a "Development Plan" as governed by Section 10-10 of this Ordinance. Furthermore, the developer of Senior Citizen Housing will submit a notarized affidavit indicating that any future re-use of the Senior Citizen Housing for anything other than Senior Citizen Housing will not be permitted without approval by the Town Board.

2-36 Density Adjustments in Senior Citizen Housing

2-361 - Density Adjustment Approval -- Approval of a Density Adjustment is subject to the filing of a dated "Development Plan" with the Planning Board. Recommendation for approval by the Planning Board of the dated "Development Plan" will mean no building permits will be issued thereafter unless such permit is in accordance with the recommended "Development Plan."

2-362 - Density Bonus Adjustment -- The minimum lot area per dwelling unit for Senior Citizen Housing may be subject to adjustment, decreasing the requirements to a maximum deduction of one hundred (100) square feet per unit of lot area based on compliance with the following:

A. Landscaped parking

(1) Purpose. To improve the appearance of parking lots and reduce the visual impact of parked automobiles by means of buffering.

(2) Qualifying standards.

(a) Landscaping and/or a solid wood or brick fence may be used to buffer parking areas.

1. Landscaping will, at maturity, reach 4 feet in height and provide a continuous buffer

2. Fencing will not be less than 3 feet 6 inches or more than 4 feet 6 inches in height.

2. RESOLVED THAT ARTICLE V - OFF-STREET PARKING REGULATIONS, Section 5-01, which relates to the requirement of parking spaces for dwellings, shall be amended by the enactment of a new subsection 5-01 (e) thereunder to read as follows:

(e) Senior Citizen Housing

(1) One (1) space for every two (2) units.

(2) One (1) additional handicapped parking space for every ten (10) required parking spaces.

(3) One (1) visitor parking space for every four (4) units.

3. RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS, Section 6-09, which relates to livable ground

Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on March 2, 1981; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Zoning Ordinance of the Town of Cheektowaga, New York" shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon roll call...

Supervisor Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Burst	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 2, 1981, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 26, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of March, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 5, 1981

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for sewer system rehabilitation work in the Town of Cheektowaga Sewer District No. 5 under its Water Pollution Abatement Program, which bids were duly received and opened at the Regular Town Board Meeting of February 2, 1981, AND

WHEREAS, said bids were referred to the consulting firm of Nussbaumer and Clarke, Inc. and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in the letter of the Town Engineer to the Town Board dated February 12, 1981, AND

WHEREAS, said report recommended that the bid be awarded to M.C. Morgan Contractors, Inc., 3690 Sheridan Drive, Amherst, New York 14226 for the bid price of $1,371,225.00, said bid being the lowest meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for Phase I Sewer System Rehabilitation in the Sanitary Sewer District No. 5 Service Area be and hereby is awarded to M.C. Morgan Contractors, Inc. for their submission of the bid of $1,371,225.00, said bid being the lowest meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED, that the bid award is conditional upon approval by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign the agreement with said M.C. Morgan Contractors, Inc. after approval of the bid award is granted by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency.

*See next page for tabulation and report.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

February 12, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the Regular Town Board Meeting of February 2, 1981 bids were received and opened for sanitary sewer system rehabilitation work for the Sanitary Sewer District #5 Service Area. The eight (8) bids received are as follows:

M.C. Morgan Construction, Inc.	$1,371,225.00 *
Marin Excavating, Inc.	$1,443,925.42 *
Cimato Brothers, Inc.	$1,629,229.05
Seacoast Construction Corp.	$1,798,847.80 *
Firstrhyme Construction, Inc.	$1,873,086.05 *
C.M.H. Company, Inc.	$1,982,798.58
Robert Caldwell Trenching & Exc. Inc.	$3,068,092.00
Amadori Construction Company, Inc.	$3,799,782.30
Engineer's Estimate	$1,626,389.50

* Corrected figure

The consulting firm of Nussbaumer & Clarke, Inc. reviewed the bids and the qualifications of the bidders. Based on this review, the consultants and ourselves recommend that the bid be awarded to M.C. Morgan Contractors, Inc., 3690 Sheridan Drive, Amherst, New York 14226 for their submission of the lowest bid meeting the requirements of the specifications. This bid is in the amount of $1,371,225.00.

The sewer remedial work under this contract will be funded by a 75% grant under the Federal Water Pollution Control Program.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

Item No. 27 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of two (2) pick-up trucks for the Sewer Maintenance Department, which bids were duly received and opened at a regular Town Board Meeting held on February 17, 1981, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of two (2) pick-up trucks be awarded to Keller Chevrolet, Inc., 3600 Genesee Street, Cheektowaga, New York 14225 for their bid in the amount of $14,072.10 for two (2) pick-up trucks, said bid being the lowest bid meeting the requirements of the specifications.

*See next page for tabulation and report.

Town of Cheektowaga

TOWN HALL – BROADWAY AND UNION ROAD – CHEEKTOWAGA, NEW YORK 14227

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716—686-3448

February 26, 1981

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid Award
Pick-Up Trucks

Gentlemen:

At the Regular Town Board Meeting on February 17, 1981 bids were received and opened for the furnishing of two (2) pick-up trucks for the Sewer Maintenance Department. Five bidders submitted bids as follows:

BIDDER	NET BID TWO TRUCKS	DELIVERY (DAYS)
Keller Chevrolet, Inc.	$14,072.10	60-90
Maier Schule GMC, Inc.	$14,600.00	60
Emerling Chevrolet Inc.	$14,635.00	60
Mernan Chevrolet, Inc.	$14,788.00	45
Don Nowak Ford, Inc.	$14,876.58	60

The bids were reviewed with Mr. George Burst. It is, therefore, recommended that the bid for two (2) pick-up trucks for the Sewer Maintenance Department be awarded to Keller Chevrolet, Inc., 3600 Genesee Street, Cheektowaga, New York 14225 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Steven T. Marcynski
Sr. Engineer Assistant

STM:dmr

Item No. 28 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga employees have expressed a desire to have a credit union, AND

WHEREAS, such a credit union has been chartered on November 13, 1980 with the official name of "Town of Cheektowaga Employees Federal Credit Union" whose Board of Directors is as follows:

President	-	Robert M. Lis
1st Vice President	-	Mary Gawron
2nd Vice President	-	James Matecki
Secretary	-	Sylvia Slawiak
Treasurer	-	David Kulik

AND

WHEREAS, the credit union wishes to have the availability of a payroll deduction on the Town's payroll, NOW, THEREFORE, BE IT

RESOLVED, that the above credit union and the payroll deduction be and hereby are adopted by the Town Board effective immediately.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, Jerome Mack, an employee in the Town's Sanitation Department, has applied and been accepted for Ordinary Disability Retirement under the New York State Employees' Retirement System, AND

WHEREAS, the Town must terminate the above employee within 30 days of the notification from the State, NOW, THEREFORE, BE IT

RESOLVED that Jerome Mack be terminated and be it hereby adopted by the Town Board effective February 27, 1981.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Supervisor Meyers, seconded by Councilman Rogowski

RESOLVED that Florian Majchrzycki, of who has been serving in the position of "Acting Assistant Working Foreman" in the Sanitation Department, be and hereby is authorized to continue the performance of his duties as "Acting Assistant Working Foreman", effective February 27, 1981.

Item No. 31 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, a vacancy exists in the Sanitation Department for the position of Senior Clerk, and

WHEREAS, this vacancy has been properly posted in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, Sandra Metros, of , currently serving as a Clerk Typist in the Justice Department, appears on the current list of eligibles from the Erie County Department of Personnel as a result of a recent Senior Clerk Promotional examination, NOW, THEREFORE, BE IT

RESOLVED that Sandra Metros, having properly bid on the above vacancy, be and hereby is appointed to the position of Senior Clerk in the Sanitation Department, at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective, March 16, 1981.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

*Item No. 33 Appointment to temporary position of Working Foreman in Sewer Maintenance Department.

This item was taken out of order and acted upon after Item No. 60, before the Waiver of Rules (see page 43).

Item No. 34 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that the following be and hereby are hired under the worksites specified and positions listed below, at the salary rate as specified, and BE IT FURTHER

RESOLVED that they will be placed on the Cheektowaga payroll. Their pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the Department Head.

Community Aide at In-Home Support Services at an hourly rate of $3.75

Warner, Marie , Cheektowaga, New York 14225
Social Security No.:

Clerk-Typist at In-Home Support Services at an hourly rate of $3.8462

Lapa, Shirley , Cheektowaga, New York 14225
Social Security No.:

Bookkeeper at In-Home Support Services at an hourly rate of $3.8462

Solonek, Marie Cheektowaga, New York 14225
Social Security No.:

Item No. 34 Cont'd.

Maintenance Supervisor at the Buffalo Area Council of Alcoholism at an hourly rate of $4.4712

Martlock, Wilfred — Cheektowaga, New York 14225
Social Security No.:

General Maintenance Person at the Buffalo Area Council of Alcoholism at an hourly rate of $4.0865

Barthelemy, Glenn — Cheektowaga, New York 14227
Socail Security No.:

Graves, Wilbert — , Depew, New York 14043
Social Security No.:

Clerk-Typist at the Buffalo Area Council of Alcoholism at an hourly rate of $3.8462

Papero, Ann — Cheektowaga, New York 14225
Social Security No.:

Drug Counselor at the Catholic Charities Substance Abuse Program at an hourly rate of $4.3808

Slawinowski, Mary Jane — Cheektowaga, New York 14211
Social Security No.:

Recreational Aide at the Boys Club of Buffalo at an hourly rate of $3.50

Neubauer, Debra — Cheektowaga, New York 14225
Social Security No.:

Clerk-Typist at the U.S. Department of the Army at an hourly rate of $4.75

Joyce, Linda — Cheektowaga, New York 14225
Social Security No.:

Murdock, Linda — Cheektowaga, New York 14225
Social Security No.:

Maintenance Person at the Salvation Army at an hourly rate of $3.35

Buczkowski, Stephen — , Cheektowaga, New York 14043
Social Security No.:

Mallwitz, Marc — Cheektowaga, New York 14225
Social Security No.:

Secretary at the Depew/Lancaster Boys Club at an hourly rate of $3.8462

Bellavia, Carolyn — Cheektowaga, New York 14227
Social Security No.:

Clerk-Typist at the Mental Health Association at an hourly rate of $3.6058

Ernst, Lori — Cheektowaga, New York 14225
Social Security No.:

Maintenance Person at the Mental Health Association at an hourly rate of $3.8462

Bak, John — Cheektowaga, New York 14225
Social Security No.:

Maintenance Person at Labor-Management Council at an hourly rate of $4.0865

Miller, Edward — , Cheektowaga, New York 14225
Social Security No.:

Item No. 34 Cont'd.

Recreational Aide at the Valley Community Association at an hourly rate of $3.90

Orlowski, Randy — Sloan, New York 14212
Social Security No.:

Maintenance Person at the Valley Community Association at an hourly rate of $3.8462

Szczerbiak, Roger — Depew, New York 14043
Social Security No.:

McMahon, David — Cheektowaga, New York 14206
Social Security No.:

Drug Counselor at the Catholic Charities of Buffalo at an hourly rate of $4.3808

Wisniewski, Darcy — Depew, New York 14043
Social Security No.:

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Supervisor Meyers, seconded by Councilman Johnson

RESOLVED that the following individuals be and hereby are re-appointed to serve as members of the Cheektowaga Senior Advisory Council, said appointments effective March 17, 1981:

Beckinghausen, George, S.
Depew, New York 14043

Chmielewski, Joanne
Cheektowaga, New York 14225

Fenske, William
Cheektowaga, New York 14211

Rev. Frank Kadryna
Our Lady of Czestochowa Church
23 Willowlawn Pkwy.
Cheektowaga, New York 14206

Sullivan, Albi
Cheektowaga, New York 14225

Merritt, Donald, Chairman
Attorney
2329 William Street
Cheektowaga, New York 14206

Ted May
Buffalo, New York 14211

Fred Smith
Cheektowaga, New York 14227

Dominiak, Walter
Cheektowaga, New York 14211

Jankowski, Ted
Cheektowaga, New York 14227

Rev. Richard Turner
Maryvale Presbyterian Church
425 Maryvale Drive
Cheektowaga, New York 14225

Wegrzynowski, Edmund
Cheektowaga, New York 14211

Ruda, Beatrice
Sloan, New York 14212

Ex-Officia: Town Employees:

Gabryszak, Jerry
Community Development Coordinator
686-3446

Wojcik, Patricia
Senior Citizen Coordinator
891-8013

Item No. 35 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Councilman Swiatek, seconded by Councilman Burst

BE IT RESOLVED that the individuals listed below, be hereby terminated as participants of the Youth Community Conservation and Improvement Project (YCCIP), effective February 20, 1981:

--Dean Block
Depew, New York 14043

--George Smierciak
Depew, New York 14043

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 37 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of federal funds to conduct a Youth Community Conservation and Improvement Project, (YCCIP), and

WHEREAS, the YCCIP is a Title IV program of the Manpower Administration, with the purpose of providing employment and training to young adults, ages 16 through 19, who are unemployed, economically disadvantaged and have dropped out of school, and

WHEREAS, funds for this action are available from YCCIP Line Item 6260.100, NOW, THEREFORE, BE IT

RESOLVED that the following people be hired to participate in said program at the rate of $3.35 per hour, the current minimum wage:

--Bruce A. Degen
Cheektowaga, NY 14227

--Kevin T. Rinker
Cheektowaga, NY 14225

--Brian Handzlik
Cheektowaga, NY 14227

--Richard Nosal
Cheektowaga, NY 14225

"Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor."

William Wielinski, Bookkeeper to the Supervisor

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 38 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, a temporary vacancy exists in the Facilities Department due to illness, AND

Item No. 38 Cont'd.

WHEREAS, said temporary vacancy has been properly posted as per the Agreement between the Town of Cheektowaga and the Cheektowaga Employee's Association, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby appoints Anthony Broniszewski, , Cheektowaga, New York , to the position of Temporary General Mechanic in the Facilities Department effective the first (1st) date said employee physically reports to active duty, and BE IT FURTHER

RESOLVED, that funds for this action are available from Account Number A1620.146 and have been approved by the "Bookkeeper to the Supervisor."

"Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor."

William Wielinski, Bookkeeper to the Supervisor

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 39 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, the State University of New York at Cobleskill and the New York State Department of Agriculture and Markets are jointly sponsoring an Animal Control Academy, June 21 through June 26, 1981, AND

WHEREAS, said Animal Control Academy is being held for the purpose of providing experience and training for Animal Control personnel, AND

WHEREAS, Chief Theodore DeFedericis has requested that Mr. John Slisz, Animal Control Officer in the Town of Cheektowaga, be authorized to attend this training session, NOW, THEREFORE, BE IT

RESOLVED that John Slisz be and hereby is authorized to attend the Animal Control Academy being held June 21 through June 26, 1981, and BE IT FURTHER

RESOLVED that Mr. Slisz be reimbursed for all reasonable and necessary expenses, not to exceed $75.00 for tuition, $108.00 for room and board, and mileage at 20¢ per mile to and from the campus.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 40 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, a semi-annual meeting of the Association of New York State Youth Bureaus is being held in Albany, New York, March 8th through March 10th, NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau be authorized to attend said meeting, and BE IT FURTHER

RESOLVED that Kenneth J. Kopacz be reimbursed for his necessary and reasonable travel expenses in connection with said trip not to exceed $225.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski

Item No. 40 Cont'd.

Upon Roll Call Cont'd.....
NAYES: 0
ABSENT: 0

Item No. 41 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the County of Erie has contracted to widen Losson Road, a County highway in the Town of Cheektowaga, AND

WHEREAS, the Erie County Water Authority has notified the Town that this contract necessitates water line relocation at an estimated cost of $108,000 to the residents of Losson Road Extension West Water District No. 9, AND

WHEREAS, this cost, if bonded, would require an estimated first year tax rate of $80.48/$1,000 of assessed valuation, to be levied upon 35 property owners, with a bond term of 25 years, AND

WHEREAS, any such levy constitutes an intolerable financial burden upon the residents of the subject water district, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature be and hereby is memorialized to request the New York State Legislature to pass enabling legislation authorizing the County of Erie to pay all costs required by the County's reconstruction of Losson Road that would otherwise accrue to Losson Road Extension West Water District No. 9, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to the Clerk of the County Legislature.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga, utilizing funds under the Community Development Block Grant Program, is prepared to begin construction of a storm sewer along Walden Avenue from the Buffalo city line to Harlem Road, which street is part of the New York State Department of Transportation highway system, AND

WHEREAS, benefits from such a drainage improvement will be realized by the New York State highway system in addition to the residential neighborhood along this State Highway, AND

WHEREAS, the Town requested financial participation with the project from the New York State Department of Transportation in the amount of 10% of the contract price for funding of the storm sewer system and also for the storm sewer upstream of Ridge Park, AND

WHEREAS, this Town Board feels that the funding sharing is justified by the benefits to the New York State highway system, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board memorializes State Senator Dale Volker and State Assemblyman Dennis Gorski to assist the Town in receiving financial assistance from the New York State Department of Transportation on this Walden Avenue Drainage Project in the amount of $42,355.00 as the 10% share of storm sewer construction and $57,456.00 for the construction of the upstream storm sewer from Ridge Park to Wanda Avenue.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski

Item No. 42 Cont'd.

Upon Roll Call Cont'd.....
NAYES: 0
ABSENT: 0

Item No. 43 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga desires to install a traffic control signal at the intersection of Dick Road and North Creek Drive, and

WHEREAS, the County of Erie, Department of Public Works, Highway Division has approved the installation of a signal system, and

WHEREAS, a Permit for Installation and Maintenance requires a technical study and design by a qualified consulting engineer to conform to the conditions and requirements of the Letter of Approval from the County dated February 27, 1981, and

WHEREAS, funds are available from the General Fund Traffic Control line Item A3310.225, and

WHEREAS, David Thielman, P.E., Consulting Engineer, has submitted a proposal dated February 11, 1981 to prepare specifications, design and supervise the installation of said signal, NOW, THEREFORE, BE IT

RESOLVED that David Thielman, P.E., Consulting Engineer, be and hereby is directed to undertake said study, specifications and design for the installation of said traffic control signal, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign an agreement with David Thielman, P.E., Consulting Engineer, to do this work.

"Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor."

_____
William Wielinski, Bookkeeper to the Supervisor

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 44 Authorization for Supervisor to sign permit regarding signal at Dick Road and North Creek Drive intersection.
Item Withdrawn.

Item No. 45 Motion by Councilman Burst, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau has been tentatively selected as a U.S. Youth Conservation Corps grant recipient for the summer of 1981, and

WHEREAS, the State of New York has agreed to pay a tentative amount of $16,000.00 toward the total cost of the project, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be hereby authorized to sign the forthcoming agreement with the New York State Department of Environmental Conservation to operate said project.

*See next several pages for copy of Agreement.

THIS AGREEMENT, made this 3rd day of March, 1981, by and between the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, acting by and through its Commissioner (hereinafter referred to as "DEC") and Cheektowaga Youth Bureau hereinafter referred to as "SUBGRANTEE"):

174429

WITNESSETH:

WHEREAS DEC has received a grant on January 27, 1981 of up to $ 16,000. from the United States Department of the Interior in conjunction with the United States Department of Agriculture for the purpose of funding a Youth Conservation Corps Program in conjunction with the Cheektowaga Youth Bureau, for a period running from May 1, 1981 through October 1, 1981; and,

WHEREAS SUBGRANTEE has obligated a minimum of matching funds to be provided with this grant; and

WHEREAS DEC has found SUBGRANTEE to possess the potential ability to carry out the terms, conditions and purposes of the Youth Conservation Corps Program;

NOW, THEREFORE, in consideration of the mutual convenants herein contained, the parties hereto agree as follows:

1. SUBGRANTEE hereby agrees to carry out its Youth Conservation Corps Program in compliance with the rules and regulations of the Departments of Agriculture and Interior, which rules and regulations are currently identical, relating to Grants to States for Establishing Youth Conservation Corps Programs, 43CFR Part 214 and Part 26 respectively, and with the grant agreement between DEC and the Departments of Agriculture and Interior.

2. SUBGRANTEE agrees to employ 30 youths for a period of 7 weeks provided that SUBGRANTEE may terminate the employment of any youth in accordance with SUBGRANTEE's normal business practices relating to the dismissal or other termination of employment. SUBGRANTEE may subcontract with a qualified public agency or organization or any non-profit agency or organization which has been in existence for at least 5 years with the prior approval in writing of DEC.

3. SUBGRANTEE will be entitled to an advance of up to seventy-five (75%) of the money granted to the DEC for the Cheektowaga Youth Bureau Youth Conservation Corps Program upon request on New York State standard voucher forms and, if required, submission to DEC of a "Request for Advances or Reimbursement" as outlined in Office of Management and Budget Circular A-102, hereinafter referred to as OMB A-102, and hereby agrees that such funds shall be expended in a manner consistent with this contract.

4. SUBGRANTEE will be entitled to the balance of such funds to a maximum of $ 16,000. upon request on a New York State standard voucher and submission of a final financial report as outlined in OMB A-102. SUBGRANTEE hereby agrees to submit said report to DEC within sixty (60) days after completion of the program. Costs incurred prior to the execution of this AGREEMENT in preparation of the SUBGRANTEE's proposal or for other purposes approved by DEC will be considered as eligible expenses for the program.

5. SUBGRANTEE hereby agrees to submit to the DEC within fifteen (15) days after termination of such program, program performance reports in accordance with attachment I of OMB A-102.

6. SUBGRANTEE hereby agrees to provide not less than twenty percent (20%) of the total expenditures for the program in funds or credits authorized by OMB A-102. SUBGRANTEE hereby agrees that all of the funds received by it under this AGREEMENT shall represent not more than eighty percent (80%) of the total expenditures authorized under the program as determined pursuant to OMB A-102 and in no event more than $ 16,000. . In the event that the funds advanced to SUBGRANTEE are in excess of eighty percent (80%) of its authorized costs, SUBGRANTEE hereby agrees to repay to DEC all funds for which DEC is not liable under this section.

7. Both parties hereby agree to comply with all applicable rules and regulations of the United States Department of the Interior and with applicable federal equal employment opportunity requirements as well as with all applicable provisions of local, state and federal law. Enrollee recruitment will be accomplished in accordance with the cooperative agreement between DEC and the Departments of Interior and Agriculture dated January 7, 1976, a copy of which is attached.

8. DEC and SUBGRANTEE shall each have the option of terminating this AGREEMENT in the event of substantial breach thereof by the other, including failure to submit the required reports. In the event of such termination DEC shall be liable only for those portions of the funds subject to being advanced by DEC and actually expended by SUBGRANTEE hereunder, SUBGRANTEE agrees to repay to DEC such portion of the money advanced to it for which the DEC is not liable under this section. In the event such breach occurs after the termination of the Youth Conservation Corps Program, and such breach results in DEC's being liable to the Federal government for repayment of this grant money, then the SUBGRANTEE hereby agrees to repay to DEC all funds advanced or reimbursed to the SUBGRANTEE by DEC under this AGREEMENT.

9. In the event that circumstances beyond the reasonable control of SUBGRANTEE shall prevent SUBGRANTEE from fulfilling its responsibilities hereunder, either party may terminate this AGREEMENT upon not less than fifteen (15) days' written notice. In the event of such termination, DEC will be liable only for DEC's share of authorized funds expended by SUBGRANTEE up to and including such termination date. In the event such termination occurs after payment to SUBGRANTEE, SUBGRANTEE agrees to repay DEC all funds for which DEC is not liable under this section.

10. For a period of three years after the termination of this AGREEMENT, DEC, the United States Department of the Interior, the United States Departmen of Agriculture, the Comptroller of the State of New York, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access at such reasonable times and for such reasonable period as may be mutually agreed upon, to any of the SUBGRANTEE's books, documents, papers and records directly pertinent to the subject matter of this AGREEMENT for the purpose of making audits, examinations, excerpts or transcripts.

11. This AGREEMENT is binding upon DEC only to the extent to which federal funds have been made available to DEC for the performance of the terms of this AGREEMENT and no liability on account thereof shall be incurred by DEC or the State of New York beyond money available for the purpose thereof.

12. The parties hereto agree to comply with all applicable terms and conditions contained in the Appendix A attached hereto and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

APPROVED AS TO FORM
NEW YORK STATE
ATTORNEY GENERAL
MAY 2 - 1981
By: Richard W. Cross
RICHARD W. CROSS
Attorney

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By: Graham L Cox

Graham Cox
Assistant Director, Communications
and Education

By: Kenneth J Meyer

Title: Supervisor

Organization: Town of Cheektowaga, NY

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the day of , 1981, before me personally came Graham Cox, to me known and known to me to be the same person who executed the foregoing instrument for and on behalf of the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, and who being by me duly sworn, did depose and say that he is Assistant Director of Communications and Education of said Department, and that he executed the foregoing instrument for and on behalf of the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION by virtue of the authority in him vested as said Assistant Director in the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

NOTARY PUBLIC

APPROVED
Ralph H. Clark
FOR THE STATE COMPTROLLER
Date: JUN 18 1981

Notary should only execute the acknowledgement which is proper for your type of organization.

(to be executed for a governmental official with signatory power)

STATE OF NEW YORK)
) ss:
COUNTY OF)

On this day of , 1981, before me personally appeared , to me known, who, being by me first duly sworn, did depose and say that he resides in ; that he is the of , the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said municipal corporation, that the seal affixed to said instrument is such seal; that it was so affixed by order and authority of the of said municipal corporation, and the he signed his name thereto by like order and authority.

NOTARY PUBLIC

(to be executed for a governmental official who does not have signatory power. A copy of the authorizing resolution must be attached)

GOVERNMENTAL CERTIFICATION

On this third day of March , 1981, before me personally came Kenneth J. Meyers to me known, who being duly sworn, did depose and say that he is the Supervisor (list title) of the Town of Cheektowaga, NY (list political subdivision or agency of political subdivision), the political subdivision or agency thereof described in and which executed the within instrument; that he knows the seal of said political subdivision; that the seal affixed to said instrument is such seal; that it was so affixed by order, resolution or authority of the Cheektowaga Town Board (attach certified copy of order, resolution or the ordinance authorizing execution of this contract) of said political subdivision, and that he signed his name by that authority.

By: Vickie L. Dankowski
NOTARY PUBLIC

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19

(CORPORATE ACKNOWLEDGMENT)

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the day of , 1981, before me personally came to me known, who being duly sworn, did depose and say that he resides in the City of , New York; that he is of the corporation described in and which executed the above instrument; that he known the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

NOTARY PUBLIC

(CO-PARTNERSHIP ACKNOWLEDGEMENT)

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the day of , 1981, before me personally came to me known and known to me to be a member of , the firm described in and which executed the foregoing instrument, and he acknowledged to me that he subscribed the name of said firm thereto on behalf of said firm for the purpose therein mentioned.

NOTARY PUBLIC

APPENDIX A

The parties to the attached contract further agree to be bound by the following, which are hereby made a part of said contract.

I. This contract may not be assigned by the contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or disposed of without the previous consent, in writing, of the State.

II. This contract shall be deemed executory only to the extent of money available to the State for the performance of the terms hereof and no liability on account thereof shall be incurred by the State of New York beyond moneys available for the purpose thereof.

III. The contractor specifically agrees, as required by Labor Law, Sections 220 and 220-d, as amended, that:

(a) no laborer, workman or mechanic, in the employ of the contractor, subcontractor or other person doing or contracting to do the whole or any part of the work contemplated by the contract shall be permitted or required to work more than eight hours in any one calendar day or more than five days in any one week, except in the emergencies set forth in the Labor Law.

(b) the wages paid for a legal day's work shall be not less than the prevailing rate of wages as defined by law.

(c) the minimum hourly rate of wages to be paid shall not be less than that stated in the specifications, and any redetermination of the prevailing rate of wages after the contract is approved shall be deemed to be incorporated herein by reference as of the effective date of redetermination and shall form a part of these contract documents.

1.) The Labor Law provided that the contract may be forfeited and no sum paid for any work done thereunder on a second conviction for willfully paying less than

(a) the stipulated wage scale as provided in Labor Law, Section 220, subdivision 3, as amended or

(b) less than the stipulated minimum hourly wage scale as provided in Labor Law, Section 220-d, as amended.

IV. The contractor specifically agrees, as required by the provisions of the Labor Law, Section 220-e, as amended, that:

(a) in hiring of employees for the performance of work under this contract or any subcontract hereunder, or for the manufacture, sale or distribution of materials, equipment or supplies hereunder, no contractor, subcontractor nor any person acting on behalf of such contractor or subcontractor, shall by reason of race, creed, color, sex, or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates.

(b) no contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, sex or national origin.

(c) there may be deducted from the amount payable to the contractor by the State under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against of intimidated in violation of the provisions of the contract, and

(d) this contract may be canceled or terminated by the State or municipality and all moneys due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this section of the contract, and

(e) the aforesaid provisions of this section covering every contract for or on behalf of the State or a municipality for the manufacture, sale or distribution of materials, equipment or supplies shall be limited to operations performed within the territorial limits of the State of New York.

V. The contractor specifically agrees, as required by Executive Order #45, dated January 4, 1977, effective February 4, 1977, that:

(a) The contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake programs of affirmative action to insure that they are afforded equal employment opportunities without discrimination. Such action shall be taken with reference, but not limited to: recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or termination, rates of pay or other forms of compensation, and selection for training or retraining, including apprenticeship and on-the-job training.

(b) If the contractor is directed to do so by the contracting agency or the Office of State Contract Compliance (hereafter OSCC), the contractor shall request each employment agency, labor union, or authorized representative of workers, with which he has a collective bargaining or other agreement or understanding, to furnish him with a written statement that such employment agency, labor union or representative will not

discriminate because of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations hereunder and the purposes of Executive Order #45 (1977).

(c) The contractor will state, in all solicitations or advertisements for employees placed by or on behalf of the contractor, that all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

*(d) The contractor will comply with all the provisions of Executive Order #45 (1977) and of rules, regulations and orders issued pursuant thereto and will furnish all information and reports required by said Executive Order or such rules, regulations and orders, and will permit access to its books, records, and accounts and to its premises by the contracting agency or the OSCC for the purposes of ascertaining compliance with said Executive Order and such rules, regulations and orders.

*(e) If the contractor does not comply with the equal opportunity provisions of this contract, with Executive Order #45 (1977), or with such rules, regulations, or orders, this contract or any portion thereof, may be canceled, terminated or suspended or payments thereon withheld, or the contractor may be declared ineligible for future State or State-assisted contracts, in accordance with procedures authorized in Executive Order #45 (1977), and such other sanctions may be imposed and remedies invoked as are provided in said Executive Order or by rule, regulation or order issued pursuant thereto, or as otherwise provided by law.

*(f) The contractor will include the provisions of clauses (a) through (e) above and all contract provisions promulgated by OSCC pursuant to Section 1.3 (b) of Executive Order #45 (1977), in every non-exempt subcontract or purchase order in such a manner that such provisions will be binding upon each subcontractor or vendor as to its work force within the State of New York. The contractor will take such action in enforcing such provisions of such subcontract or purchase order as the contracting agency or the OSCC may direct, including sanctions or remedies for noncompliance. If the contractor becomes involved in or is threatened with litigation with a subcontractor or vendor as a result of such direction, the contractor shall promptly so notify the Attorney General, requesting him to intervene and protect the interests of the State of New York.

VI. The contractor will comply with the provisions of Sections 291-299 of the Executive Law and the Civil Rights Law, will furnish all information and reports deemed necessary by the State Division of Human Rights under the Law, and will permit access to its books, records and accounts by the State Division of Human Rights, the Attorney General and the Industrial Commissioner for the purposes of investigation to ascertain compliance with the non-discrimination clauses, the Executive Law and Civil Rights Law.

VII.

(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

1.) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2.) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor;

3.) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

(b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with provided, however, that if in any case the bidder can not make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the State, public department or agency to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposes or pending publication of new or revised price lists for such time, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of sub-paragraph one (a).

*NOTE: Reference to the above Rules and Regulations refer to those Rules and Regulations in effect as of the date of the solicitation of bids relative to this contract.

COOPERATIVE AGREEMENT

BETWEEN

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The U. S. Department of Agriculture

The U. S. Department of the Interior

THIS COOPERATIVE AGREEMENT, made and entered into by and between the DEPT. OF ENVIRONMENTAL CONS, hereinafter referred to as the Cooperator, and the U. S. Department of Agriculture and the U. S. Department of the Interior, hereinafter referred to as the Secretaries, under the provisions of P. L. 93-408 dated September 3, 1974,

WITNESSETH:

WHEREAS, Public Law 91-378, as amended and expanded by P. L. 93-408, authorized a program designated the Youth Conservation Corps (YCC), to give gainful employment in the outdoors, to provide an understanding and appreciation of the Nations environment and heritage among youth, and to further the development, preservation, and maintenance of the lands and waters of the United States.

WHEREAS, P.L. 93-408 requires the Secretaries to jointly establish a program under which grants are made to States to operate Youth Conservation Corps projects to provide youth with gainful employment and environmental learning, while developing, preserving, and maintaining non-Federal public lands and waters within the States, including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territories and American Samoa.

WHEREAS, the Cooperator desires to assist in the operation of this program by recruiting and selecting eligible youth to participate in the program.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree as follows:

A. The Cooperator shall:

1. Disseminate equitably to all groups of eligible youth information about the Youth Conservation Corps Program and application forms, including opening and closing dates for applications.

2. Publicize the program extensively, giving special emphasis to media, organizations, schools, etc. which are in touch with lower income, minority, urban or other youth who may not learn of the program through standard recruiting methods. The objective of recruiting is for the applicants to reflect numerically the population characteristics of the State.

3. Screen applications for completeness including signature, and for eligibility under the following eligibility criteria:

   a. During the camp period be at least age 15 but not yet 19.

   b. Be a permanent resident of the United States or its territories or possessions.

   c. Be physically qualified to participate fully in the YCC program. (Opportunities for the handicapped may be provided at some camps, depending on location, available programs, staffing, medical facilities, etc.)

4. Select on a random basis from among all applicants whose applications are substantially complete and whose applications indicate they meet the eligibility requirements cited in paragraph 3 above.

5. Provide the YCC Camp Directors a list of selected candidates

and alternates with the original Form 1800-1, Application. This will be done by April 25.

6. Notify non-selectees of results in a timely and efficient manner.

7. Comply with the Privacy Act requirements for YCC enrollee selection in Exhibit A.

B. The Secretaries, through their Designated Field Representatives, shall:

1. Provide the Cooperator with the Privacy Act requirements for YCC enrollee selection.

2. Provide the following information about each YCC camp in the State:

a. Camp name and address

b. Agency responsible.

c. Camp Director or other official contact.

d. Coeducational or not?

e. Dates of camp operation.

3. Advise the Cooperator of the number of alternate enrollees that will be needed in case of withdrawals of original selections.

4. Provide information about the YCC to be disseminated by the Cooperator to interested youth.

5. Provide the Cooperator with sufficient application forms and information materials.

6. Assist the Cooperator in the special publicity efforts described in A.2.

7. Assure that random selection is used.

8. Assure that each selectee and alternate is notified.

9. Notify the Cooperator of a release or resignation of an enrollee and the name of the replacement selected.

10. Provide demographic data on the applicant pool as a guide for future recruiting efforts.

C. It is Mutually Agreed and Understood By and Between the Said Parties That:

1. The goal of recruitment will be to have the pool of applicants reflect the population characteristics of the State in the following respects--sex, race, income, and rural/urban categories.

2. The parties shall jointly develop a written recruitment and selection plan which meets the USDA-USDI YCC Recruiting and Selection Policy.

3. Nothing herein shall be construed as obligating the Secretaries to expend or involving the United States in any contract or obligation for the future payment of money in excess of appropriations authorized by law and administratively allocated for this project.

4. Each party will designate a person, in writing, to serve as a contact when problems need to be solved and decisions need to be made.

5. No Member of, or Delegate to, Congress or Resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

6. The Cooperator will comply with Title VI of the Civil Rights

Act of 1964 (PL 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

7. This agreement may be terminated by either party by giving 30 days notice to the other in writing. This agreement will remain in force until Dec. 31, 1976 unless terminated or extended.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the last date written below.

January 7, 1976
Date

Director & Sec. Bd. Forestry
Title (State Officer)

Jan. 7, 1976
Date

L. Kent Wright, Jr.
Department of Agriculture
by Forest Supervisor
Title

Jan 7, 1976
Date

William H. Hill
Department of the Interior
by Superintendent - DFIR
Title

EXHIBIT A

REQUIREMENTS FOR MAINTENANCE AND USE OF YCC

APPLICATION FILES TO COMPLY WITH THE PRIVACY ACT OF 1974

1. All YCC recruiting systems must comply with the description of the YCC recruitment system published in the Federal Register by the Department of Agriculture and Interior (See summary below).

2. There shall be only one official in each State responsible for receiving, evaluating, rejecting, accepting, and storing applications and for making selections and forwarding the information on selectees to camps.

3. This State selecting official, whether Federal employee or Cooperator, is subject to the Civil and Criminal penalties provided for by the Act.

The criminal penalty is a fine of up to $5,000 for willfully disclosing the material "in any manner to any person or agency not entitled to receive it" or for maintaining "a system of records without meeting the notice requirements." The latter could apply if anyone other than the State selecting official retains applications, to the knowledge of either the State selecting official or the Designated Field Representatives (DFRs).

4. Only the application form currently approved by OMB may be accepte. The enrollee's preference for camps may also be obtained. No other information on the enrollee may be accepted or used in connection with selection for the YCC program.

5. Applications shall be stored in locked files and be accessible only to the State selecting official or persons authorized and instructed by him to use the files according to these rules.

6. Use of the information pertaining to individual applicants must conform with the routine uses described in the Federal Register. No information on individuals may be released to anyone except to a System Manager. The applicant himself may obtain information by writing to the Director, Human Resource Programs, U.S. Department of Agriculture, Washington, D.C. 20013; or to the Director, Office of Youth Programs, Department of the Interior, Washington, D.C. 20240. Procedures for an individual's obtaining information on his file or for contesting information therein will be provided the State selecting official when available.

Item No. 45 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 46 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, there is need for obtaining technical services that may not be included within the scope of any on-going project, AND

WHEREAS, said services are essential in helping coordinate the development of drainage systems, sanitary sewer systems and open areas, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is authorized to secure the services of McFarland-Johnson Engineers, Inc., 2005 Sheridan Drive, Buffalo, New York 14223, as needed at the hourly rated of $37.00 for Project Engineers, $24.00 for Design Engineers and $16.00 for Technicians (including Draftspersons), with any other direct charges to be billed at cost, and BE IT FURTHER

RESOLVED, that payment for said services shall be made only when authorized by the Town Engineer, in writing, to said consultant.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 47 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, there is need for obtaining technical services that may not be included within the scope of any on-going project, AND

WHEREAS, said services are essential in helping coordinate the development of drainage systems, sanitary sewer systems and open areas, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer is authorized to secure the services of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, as needed at the hourly rated of $35.04 for Project Engineers, $24.84 for Engineers, $19.44 for Draftsmen, and $.23 per mile for transportation, with any other direct charges to be billed at cost, and BE IT FURTHER

RESOLVED, that payment for said services shall be made only when authorized by the Town Engineer, in writing, to said consultant.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 48 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, tests were performed as part of a Pilot Program in Sanitary Sewer District No. 5, AND

WHEREAS, additional funding is needed in order to make corrections under this Pilot Program, AND

WHEREAS, corrective work on the sample group of applicants having storm water infiltration problems into the sanitary sewer would be beneficial to all residents of Sanitary Sewer District No. 5, AND

Item No. 48 Cont'd.

WHEREAS, the Pilot Project Program appears to be permissible under the applicable provisions of Section 198 of the Town Law whereby the Town can expend monies for such purposes from the Sanitary Sewer District No. 5 funds as budgeted by the Town, NOW, THEREFORE, BE IT

RESOLVED, that work is authorized on the house lateral connections identified in the Town Engineer's memo to the Town Board dated February 24, 1981 under the Pilot Project Program, and BE IT FURTHER

RESOLVED, that an additional amount of $2,000 be authorized to cover the expenses related to this Pilot Program with funds to be chargeable to the Sewer District No. 5 remedial budget.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 49 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, this Town Board, in its resolution of December 15, 1980 and acting in its capacity as the Board of Managers of Sewer District No. 3, requested the New York State Department of Transportation to construct a section of sanitary sewer under the State contract for the reconstruction of the Harlem Road - Clinton Street intersection, AND

WHEREAS, the New York State Department of Transportation requires that a check in the amount of $17,973.00 be issued payable to the Comptroller, State of New York, together with a copy of this resolution, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, acting as the Board of Managers of Sanitary Sewer District No. 3, be and hereby authorizes the expenditure of $17,973.00 for the construction of a sanitary sewer to provide service to the northeast corner of Clinton Street and Harlem Road, and BE IT FURTHER

RESOLVED that a check in said amount is to be sent to the local office of the Department of Transportation as requested in their letter of February 18, 1981 to the Supervisor, and BE IT FURTHER

RESOLVED that this cost be chargeable to the Sanitary Sewer District No. 3 fund balance.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 50 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate water pollution in the Cheektowaga Sanitary Sewer District No. 5 Service Area, including sewer system rehabilitation, AND

WHEREAS, upon a grant award from the U.S. Environmental Protection Agency the Town of Cheektowaga entered into an agreement with the engineer to provide services related to Step III sewer rehabilitation in Sanitary Sewer District No. 5, AND

WHEREAS, on February 2, 1981, the Town received bids for sewer rehabilitation work in Sanitary Sewer District No. 5, AND

WHEREAS, newly revised policies of the U.S. Environmental Protection Agency and delays into a new construction season require a change in scope of the agreement with Nussbaumer & Clarke, Inc., AND

Item No. 50 Cont'd.

WHEREAS, the low bid and the change in scope of the engineering services agreement will result in a decrease in total project cost from $2,181,933.63 to $2,008,687.00, and a corresponding decrease in the costs to the Town from $545,484.63 to $502,172.00, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to sign the application for an amendment to the Federal Grant, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized to sign an amendment to the engineering services agreement with Nussbaumer & Clarke, Inc.

*See next several pages for copy of Addendum to Engineering Agreement dated 12/3/80.

TOWN OF CHEEKTOWAGA
ADDENDUM TO ENGINEERING AGREEMENT
DATED DECEMBER 3, 1980

THIS ADDENDUM, dated MARCH 2, 1981, to the existing Agreement made on December 3, 1980, by and between the TOWN OF CHEEKTOWAGA, NEW YORK, a municipal corporation located in Erie County, party of the first part, hereinafter called the "Owner," and MUSSBAUMER & CLARKE, INC., a corporation having corporate power to practice professional engineering and land surveying in the State of New York, with offices at 310 Delaware Avenue, Buffalo, New York 14202, party of the second part, hereinafter called the "Engineer."

W I T N E S S E T H:

WHEREAS, the Owner has entered into an Agreement with the Engineer to provide services related to Step III sewer rehabilitation in Sanitary Sewer District No. 5, and

WHEREAS, newly revised policies of the U. S. Environmental Protection Agency require increased observation of sewerage construction, and

WHEREAS, the Contractor for the project proposes an accelerated construction schedule, and

WHEREAS, the Town of Cheektowaga desires to determine the effectiveness of the sewer rehabilitation toward reducing infiltration and inflow in the District 5 Sanitary Sewer System,

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

FILED
MAR 5 1981
Richard M. Molcski, Town Clerk

The Agreement of December 3, 1980, is hereby amended and modified so as to include the following changes:

1. Section II, Part D, below supersedes Section II, Part D, Litigation and/or Claim Negotiations of the December 3, 1980 Agreement.

Part D. Rehabilitation Effectiveness Study

1. Perform flow monitoring and analysis to determine the effectiveness of the sewer rehabilitation to be performed under the existing Grant (identification No. C-36-323-04).

2. Submit a report on the flow monitoring and analysis.

2. Section II, Part E, below (formerly Section II, Part D, of the December 3, 1980 Agreement) is added.

Part E. Litigation and/or Claim Negotiations

Any additional services required as a result of litigation and/or claim negotiations involving the project other than litigation between the parties of this Agreement shall constitute additional services.

3. Section V below, supersedes the Section V, Compensation, of the December 3, 1980 Agreement.

Section V - Compensation

1. For services rendered under this Agreement, fees and payments will be made by the Town to the Engineer.

a. Services During Construction (General Services, Surveying and Detailed Observation)

Payment for services rendered under Section II, Paragraph A, Items 1 through 11, Paragraph B, Items 1 and 2, Paragraph C, Items 1 and 2, and Paragraph D, Items 1 and 2, shall be at cost plus a fixed fee. The fixed fee shall be a lump sum in the amount of Forty-seven Thousand Five

Hundred Seventeen Dollars and No/Cents ($47,517.00). The total compensation for Services during Construction, including the fixed fee for engineering services as listed above, shall not exceed Three Hundred Eleven Thousand Five Hundred Thirty Dollars and No/Cents ($311,530.00), assuming construction contracts are awarded by May 1, 1981, and that all construction is completed by November 1, 1981, and further assuming that the Contractor's operations will be such that not more than one Resident Engineer and three Field Observers will be required. The total compensation shall be renegotiated if the time schedule stated above is extended for any reason not attributable to the actions of the Engineer, or the Contractor's operations require additional personnel for construction observation. The Engineer will submit monthly or periodic statements regarding payments based upon actual cost for that period plus a portion of the fixed fee.

The method of cost computation is detailed in the attached EPA Form 5700-41 which is herewith made part of this Agreement.

The Engineer reserves the right to substitute other categories of direct labor, not listed in the attached form, as required for this project and to bill the charges at the actual rate of such categories, as resulting from his records, without exceeding the stated total compensation.

2. Payment for any work required as a result of EPA auditing request, or of any other work not included in the scope of this Agreement, shall be negotiated with the Owner.

3. Should any wage rates paid by the Engineer or Subcontractors be increased by enactment of new legislation or legal interpretation of existing statutes, the portions of this Agreement related to those rates will be renegotiated with the Owner.

IN WITNESS WHEREOF, the Engineer and the Owner have affixed their signatures on the day and year first set forth above.

TOWN OF CHEEKTOWAGA, NEW YORK

By _____

_____
Title

_____
Witness

NUSSBAUMER & CLARKE, INC.

By _____

_____
Title

_____
Witness

Attachments: EPA Form 5700-41 (2-76)
EPA Appendix C-1

COST OR PRICE SUMMARY FORMAT FOR SUBAGREEMENTS UNDER U.S. EPA GRANTS

(See accompanying instructions before completing this form)

Form Approved OMB No. 158-R0144

PART I - GENERAL

1. GRANTEE: Town of Cheektowaga, New York (Sanitary Sewer Dist. No. 5)	2. GRANT NUMBER: C-36-323-04
3. NAME OF CONTRACTOR OR SUBCONTRACTOR: Nussbaumer & Clarke, Inc.	4. DATE OF PROPOSAL: February 1981
5. ADDRESS OF CONTRACTOR OR SUBCONTRACTOR (*Include ZIP code*): 310 Delaware Avenue Buffalo, New York 14202	6. TYPE OF SERVICE TO BE FURNISHED: Step 3 Engineering Services for Sanitary Sewer Rehabilitation, Inspection, Efficiency Evaluation and Report

PART II - COST SUMMARY

7. DIRECT LABOR (*Specify labor categories*)	ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
See Attachment "A"		$	$	
Office Personnel	5,016		46,224.05	
Field Personnel	4,368		51,734.80	
DIRECT LABOR TOTAL:				$ 97,958.85

8. INDIRECT COSTS (*Specify indirect cost pools*)	RATE	× BASE =	ESTIMATED COST	
Office Personnel	120	$ 46,224.05	$55,468.85	
Field Personnel	100	51,734.80	51,734.80	
INDIRECT COSTS TOTAL:				$ 107,203.65

9. OTHER DIRECT COSTS

a. TRAVEL	ESTIMATED COST
(1) TRANSPORTATION 1 trip @ $220.00; 19,800 miles @ 23¢	$ 4,774.00
(2) PER DIEM Meals, Lodging and Miscellaneous	$ 4,852.50
TRAVEL SUBTOTAL:	$ 9,626.50

b. EQUIPMENT, MATERIALS, SUPPLIES (*Specify categories*)	QTY	COST	ESTIMATED COST
Photos	150	$ 8.15	$ 1,222.50
Plans and Specifications	30	17.05	511.50
Nitrogen	70	7.00	490.00
EQUIPMENT SUBTOTAL:			2,224.00

c. SUBCONTRACTS	ESTIMATED COST
Minority Business Enterprise	$47,000.00
SUBCONTRACTS SUBTOTAL:	$47,000.00

d. OTHER (*Specify categories*)	ESTIMATED COST	
	$	
OTHER SUBTOTAL:	$	
e. OTHER DIRECT COSTS TOTAL:		$ 58,850.50
10. TOTAL ESTIMATED COST		$ 264,013.00
11. ~~PROFIT~~ FEE		$ 47,517.00
12. TOTAL PRICE		$ 311,530.00

EPA Form 5700-41 (2-76)

Form Approved
OMB No. 158-R0144

PART III - PRICE SUMMARY

13. COMPETITOR'S CATALOG LISTINGS, IN-HOUSE ESTIMATES, PRIOR QUOTES *(Indicate basis for price comparison)*	MARKET PRICE(S)	PROPOSED PRICE
		$

PART IV - CERTIFICATIONS

14. CONTRACTOR

14a. HAS A FEDERAL AGENCY OR A FEDERALLY CERTIFIED STATE OR LOCAL AGENCY PERFORMED ANY REVIEW OF YOUR ACCOUNTS OR RECORDS IN CONNECTION WITH ANY OTHER FEDERAL GRANT OR CONTRACT WITHIN THE PAST TWELVE MONTHS?

☒ YES ☐ NO *(If "Yes" give name address and telephone number of reviewing office)*

Lucas, Tucker & Co.
Certified Public Accountants
919 Third Avenue
New York, N.Y. 10022 (212) 758-7280

Mr. Ralph E. Burger, Grants Accounting Section
Division of Construction Management
NYS Dept. of Environmental Conservation
50 Wolf Rd., Albany, N.Y. 12233 (518) 457-3845

14b. THIS SUMMARY CONFORMS WITH THE FOLLOWING COST PRINCIPLES

41 CFR 1-15.4

14c.

This proposal is submitted for use in connection with and in response to *(1)* request from Town of Cheektowaga. This is to certify to the best of my knowledge and belief that the cost and pricing data summarized herein are complete, current, and accurate as of *(2)* February 26, 1981, and that a financial management capability exists to fully and accurately account for the financial transactions under this project. I further certify that I understand that the subagreement price may be subject to downward renegotiation and/or recoupment where the above cost and pricing data have been determined, as a result of audit, not to have been complete, current and accurate as of the date above.

(3) 3/2/81
DATE OF EXECUTION

Richard Chadwick
SIGNATURE OF PROPOSER

Vice President
TITLE OF PROPOSER

14. GRANTEE REVIEWER

I certify that I have reviewed the cost/price summary set forth herein and the proposed costs/price appear acceptable for subagreement award.

3-2-81
DATE OF EXECUTION

Kenneth J. Meyer
SIGNATURE OF REVIEWER

Supervisor
TITLE OF REVIEWER

16. EPA REVIEWER *(If applicable)*

DATE OF EXECUTION

SIGNATURE OF REVIEWER

TITLE OF REVIEWER

Town of Cheektowaga, New York
District 5 Rehabilitation and
Effectiveness Evaluation

ATTACHMENT "A"

Part II - Cost Summary

7. Direct Labor

Categories	Estimated Hours	Hourly Rate	Estimated Cost
Officer	18	$29.70	$ 534.60
Chief Engineer	7	$21.80	152.60
Project Engineer	468	$14.60	6,832.80
Engineer	648	$10.35	6,706.80
Mathematician	56	$ 9.50	532.00
Draftsman	210	$ 8.10	1,701.00
Meter/Gauge	1,710	$ 7.80	13,338.00
Printman	26	$ 6.65	172.90
Chief Surveyor	65	$12.75	828.75
Survey Team	510	$ 7.70	3,927.00
Collator	98	$ 6.80	666.40
Typist	1,104	$ 7.55	8,335.20
Construction Coordinator (Office)	96	$26.00	2,496.00
Sub-Total	5,016		$46,224.05
Resident	1,768	$14.85	26,254.80
Field Observer	2,600	$ 9.80	25,480.00
Grand Total	9,384		$97,958.85

tems in accordance with these guidelines. Such user charge systems shall also be incorporated in the appropriate municipal legislative enactments or other appropriate authority.

(g) *Model user charge systems.* The user charge system adopted by the applicant must result in the distribution of treatment works operation and maintenance costs to each user (or user class) in approximate proportion to his contribution to the total wastewater loading of the treatment works. The following user charge models can be used for this purpose; however, the applicant is not limited to their use. The symbols used in the models are as defined below:

C_T=Total operation and maintenance (O. & M.) costs per unit of time.
C_u=A user's charge for O. & M. per unit of time.
C_s=A surcharge for wastewaters of excessive strength.
V_t=O&M cost for transportation and treatment of a unit of wastewater volume.
V_u=Volume contribution from a user per unit of time.
V_T=Total volume contribution from all users per unit of time.
B_t=O&M cost for treatment of a unit of biochemical oxygen demand (BOD).
B_u=Total BOD contribution from a user per unit of time.
B_T=Total BOD contribution from all users per unit of time.
B=Concentration of BOD from a user above a base level.
S_t=O&M cost for treatment of a unit of suspended solids.
S_u=Total suspended solids contribution from a user per unit of time.
S=Concentration of SS from a user above a base level.
P_t=O&M cost for treatment of a unit of any pollutant.
P_u=Total contribution of any pollutant from a user per unit of time.
P_T=Total contribution of any pollutant from all users per unit of time.
P=Concentration of any pollutant from a user above a base level.

(1) *Model No. 1.* If the treatment works is primarily flow dependent or if the BOD, suspended solids, and other pollutant concentrations discharged by all users are approximately equal, then user charges can be developed on a volume basis in accordance with the model below:

$$C_u = C_T/V_T(V_u)$$

(2) *Model No. 2.*—When BOD, suspended solids, or other pollutant concentrations from a user exceed the range of concentration of these pollutants in normal domestic sewage, a surcharge added to a base charge, calculated by means of Model No. 1, can be levied. The surcharge can be computed by the model below:

$$C_s = [B(B) + S_t(S) + P_t(P)]V_u$$

(3) *Model No. 3.*—This model is commonly called the "quantity/quality formula":

$$C_u = V_tV_u + P_tB_u + S_tS_u + P_tP_u$$

(h) *Other considerations.*—(1) Quantity discounts to large volume users will not be acceptable. Savings resulting from economies of scale should be apportioned to all users or user classes.

(2) User charges may be established based on a percentage of the charge for water usage only in cases where the water charge is based on a constant cost per unit of consumption.

APPENDIX C-1—REQUIRED PROVISIONS—CONSULTING ENGINEERING AGREEMENTS

1. General
2. Responsibility of the Engineer
3. Scope of Work
4. Changes
5. Termination
6. Remedies
7. Payment
8. Project Design
9. Audit; Access to Records
10. Price Reduction for Defective Cost or Pricing Data
11. Subcontracts
12. Labor Standards
13. Equal Employment Opportunity
14. Utilization of Small or Minority Business
15. Covenant Against Contingent Fees
16. Gratuities
17. Patents
18. Copyrights and Rights in Data

1. GENERAL

(a) The owner and the engineer agree that the following provisions apply to the EPA grant-eligible work to be performed under this agreement and that such provisions supersede any conflicting provisions of this agreement.

(b) The work under this agreement is funded in part by a grant from the U.S. Environmental Protection Agency. Neither the United States nor the U.S. Environmental Protection Agency (hereinafter, "EPA") is a party to this agreement. This agreement which covers grant-eligible work is subject to regulations contained in 40 CFR 35.936, 35.937, and 35.939 in effect on the date of execution of this agreement. As used in these clauses, the words "the date of execution of this agreement" mean the date of execution of this agreement and any subsequent modification of the terms, compensation or scope of services pertinent to unperformed work.

(c) The owner's rights and remedies provided in these clauses are in addition to any other rights and remedies provided by law or this agreement.

2. RESPONSIBILITY OF THE ENGINEER

(a) The engineer shall be responsible for the professional quality, technical accuracy, timely completion, and the coordination of all designs, drawings, specifications, reports, and other services furnished by the engineer under this agreement. The engineer shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in his designs, drawings, specifications, reports, and other services.

(b) The engineer shall perform such professional services as may be necessary to accomplish the work required to be performed under this agreement, in accordance with this agreement and applicable EPA requirements in effect on the date of execution of this agreement.

(c) The owner's or EPA's approval of drawings, designs, specifications, reports, and incidental engineering work or materials furnished hereunder shall not in any way relieve the engineer of responsibility for the technical adequacy of his work. Neither the owner's nor EPA's review, approval or acceptance of, nor payment for, any of the services shall be construed to operate as a waiver of any rights under this agreement or of any cause of action arising out of the performance of this agreement.

(d) The engineer shall be and shall remain liable, in accordance with applicable law, for all damages to the owner or EPA caused by the engineer's negligent performance of any of the services furnished under this agreement, except for errors, omissions or other deficiencies to the extent attributable to the owner, owner-furnished data or any third party. The engineer shall not be responsible for any time delays in the project caused by circumstances beyond the engineer's control. Where innovative processes or techniques (see 40 CFR 35.908) are recommended by the engineer and are used, the engineer shall be liable only for gross negligence to the extent of such use.

3. SCOPE OF WORK

The services to be performed by the engineer shall include all services required to complete the task or Step in accordance with applicable EPA regulations (40 CFR Part 35, Subpart E in effect on the date of execution of this agreement) to the extent of the scope of work as defined and set out in the engineering services agreement to which these provisions are attached.

4. CHANGES

(a) The owner may, at any time, by written order, make changes within the general scope of this agreement in the services or work to be performed. If such changes cause an increase or decrease in the engineer's cost of, or time required for, performance of any services under this agreement, whether or not changed by any order, an equitable adjustment shall be made and this agreement shall be modified in writing accordingly. The engineer must assert any claim for adjustment under this clause in writing within 30 days from the date of receipt by the engineer of the notification of change unless the owner grants a further period of time before the date of final payment under this agreement.

(b) No services for which an additional compensation will be charged by the engineer shall be furnished without the written authorization of the owner.

(c) In the event that there is a modification of EPA requirements relating to the services to be performed under this agreement after the date of execution of this agreement, the increased or decreased cost of performance of the services provided for in this agreement shall be reflected in an appropriate modification of this agreement.

5. TERMINATION

(a) Either party may terminate this agreement, in whole or in part, in writing if the other party substantially fails to fulfill its obligations under this agreement through no fault of the terminating party. However, no such termination may be effected unless the other party is given (1) not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party before termination.

(b) The owner may terminate this agreement, in whole or in part, in writing, for its convenience, if the termination is for good cause (such as for legal or financial reasons, major changes in the work or program requirements, initiation of a new step) and the engineer is given (1) not less than ten (10) calendar days written notice (delivered by

certified mail, return receipt requested) of intent to terminate, and (2) an opportunity for consultation with the terminating party before termination.

(c) If the owner terminates for default, an equitable adjustment in the price provided for in this agreement shall be made, but (1) no amount shall be allowed for anticipated profit on unperformed services or other work, and (2) any payment due to the engineer at the time of termination may be adjusted to the extent of any additional costs the owner incurs because of the engineer's default. If the engineer terminates for default or if the owner terminates for convenience, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for any termination shall provide for payment to the engineer for services rendered and expenses incurred before the termination, in addition to termination settlement costs the engineer reasonably incurs relating to commitments which had become firm before the termination.

(d) Upon receipt of a termination action under paragraphs (a) or (b) above, the engineer shall (1) promptly discontinue all services affected (unless the notice directs otherwise), and (2) deliver or otherwise make available to the owner all data, drawings, specifications, reports, estimates, summaries, and such other information and materials as the engineer may have accumulated in performing this agreement, whether completed or in process.

(e) Upon termination under paragraphs (a) or (b) above, the owner may take over the work and prosecute the same to completion by agreement with another party or otherwise. Any work the owner takes over for completion will be completed at the owner's risk, and the owner will hold harmless the engineer from all claims and damages arising out of improper use of the engineer's work.

(f) If, after termination for failure of the engineer to fulfill contractual obligations, it is determined that the engineer had not so failed, the termination shall be deemed to have been effected for the convenience of the owner. In such event, adjustment of the price provided for in this agreement shall be made as paragraph (c) of this clause provides.

6. REMEDIES

Except as this agreement otherwise provides, all claims, counter-claims, disputes, and other matters in question between the owner and the engineer arising out of or relating to this agreement or the breach of it will be decided by arbitration if the parties hereto mutually agree, or in a court of competent jurisdiction within the State in which the owner is located.

7. PAYMENT

(a) Payment shall be made in accordance with the payment schedule incorporated in this agreement as soon as practicable upon submission of statements requesting, payment by the engineer to the owner. If no such payment schedule is incorporated in this agreement, the payment provisions of paragraph (b) of this clause shall apply.

(b) The engineer may request monthly progress payments and the owner shall make them as soon as practicable upon submission of statements requesting payment by the engineer to the owner. When such progress payments are made, the owner may withhold up to ten (10) percent of the vouchered amount until satisfactory completion, by the engineer of work and services within a step called for under this agreement. When the owner determines that the work under this agreement or any specified task hereunder is substantially complete and that the amount of retained percentages is in excess of the amount considered by him to be adequate for his protection, he shall release to the engineer such excess amount.

(c) No payment request made under paragraph (a) or (b) of this clause shall exceed the estimated amount and value of the work and services performed by the engineer under this agreement. The engineer shall prepare the estimates of work performed and shall supplement them with such supporting data as the owner may require.

(d) Upon satisfactory completion of the work performed under this agreement, as a condition precedent to final payment under this agreement or to settlement upon termination of the agreement, the engineer shall execute and deliver to the owner a release of all claims against the owner arising under or by virtue of this agreement, other than such claims, if any, as may be specifically exempted by the engineer from the operation of the release in stated amounts to be set forth therein.

8. PROJECT DESIGN

(a) In the performance of this agreement, the engineer shall, to the extent practicable, provide for maximum use of structures, machines, products, materials, construction methods, and equipment which are readily available through competitive procurement, or through standard or proven production techniques, methods, and processes, consistent with 40 CFR 35.936-3 and 35.936-13 in effect on the date of execution of this agreement, except to the extent to which innovative technology may be used under 40 CFR 35.908 in effect on the date of execution of this agreement.

(b) The engineer shall not, in the performance of the work under this agreement, produce a design or specification which would require the use of structures, machines, products, materials, construction methods, equipment, or processes which the engineer knows to be available only from a sole source, unless the engineer has adequately justified the use of a sole source in writing.

(c) The engineer shall not, in the performance of the work under this agreement, produce a design or specification which would be restrictive in violation of sec. 204(a)(6) of the Clean Water Act. This statute requires that no specification for bids or statement of work shall be written in such a manner as to contain proprietary, exclusionary, or discriminatory requirements other than those based upon performance, unless such requirements are necessary to test or demonstrate a specific thing, or to provide for necessary interchangeability of parts and equipment, or at least two brand names or trade names of comparable quality or utility are listed and are followed by the words "or equal." With regard to materials, if a single material is specified, the engineer must be prepared to substantiate the basis for the selection of the material.

(d) The engineer shall report to the owner any sole-source or restrictive design or specification giving the reason or reasons why it is necessary to restrict the design or specification.

(e) The engineer shall not knowingly specify or approve the performance of work at a facility which is in violation of clean air or water standards and which is listed by the Director of the EPA Office of Federal Activities under 40 CFR Part 15.

9. AUDIT; ACCESS TO RECORDS

(a) The engineer shall maintain books, records, documents, and other evidence directly pertinent to performance on EPA grant work under this agreement in accordance with generally accepted accounting principles and practices consistently applied, and 40 CFR 30.605, 30.805, and 35.935-7 in effect on the date of execution of this agreement. The engineer shall also maintain the financial information and data used by the engineer in the preparation or support of the cost submission required under 40 CFR 35.937-6(b) in effect on the date of execution of this agreement and a copy of the cost summary submitted to the owner. The U.S. Environmental Protection Agency, the Comptroller General of the United States, the U.S. Department of Labor, owner, and [the State water pollution control agency] or any of their duly authorized representatives shall have access to such books, records, documents, and other evidence for inspection, audit, and copying. The engineer will provide proper facilities for such access and inspection.

(b) The engineer agrees to include paragraphs (a) through (e) of this clause in all his contracts and all tier subcontracts directly related to project performance that are in excess of $10,000.

(c) Audits conducted under this provision shall be in accordance with generally accepted auditing standards and established procedures and guidelines of the reviewing or audit agency(ies).

(d) The engineer agrees to the disclosure of all information and reports resulting from access to records under paragraphs (a) and (b) of this clause, to any of the agencies referred to in paragraph (a), provided that the engineer is afforded the opportunity for an audit exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report and that the final audit report will include written comments of reasonable length, if any, of the engineer.

(e) The engineer shall maintain and make available records under paragraphs (a) and (b) of this clause during performance on EPA grant work under this agreement and until 3 years from the date of final EPA grant payment for the project. In addition, those records which relate to any "Dispute" appeal under an EPA grant agreement, to litigation, to the settlement of claims arising out of such performance, or to costs or items to which an audit exception has been taken, shall be maintained and made available until 3 years after the date of resolution of such appeal, litigation, claim, or exception.

10. PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA

(This clause is applicable if the amount of this agreement exceeds $100,000.)

(a) If the owner or EPA determines that any price, including profit, negotiated in connection with this agreement or any cost reimbursable under this agreement was increased by any significant sums because the engineer or any subcontractor furnished incomplete or inaccurate cost or pricing data

or data not current as certified in his certification of current cost or pricing data (EPA form 5700-41), then such price, cost, or profit shall be reduced accordingly and the agreement shall be modified in writing to reflect such reduction.

(b) Failure to agree on a reduction shall be subject to the remedies clause of this agreement.

(Note.—Since the agreement is subject to reduction under this clause by reason of defective cost or pricing data submitted in connection with certain subcontracts, the engineer may wish to include a clause in each such subcontract requiring the subcontractor to appropriately indemnify the engineer. It is also expected that any subcontractor subject to such indemnification will generally require substantially similar indemnification for defective cost or pricing data required to be submitted by his lower tier subcontractors.)

11. SUBCONTRACTS

(a) Any subcontractors and outside associates or consultants required by the engineer in connection with services under this agreement will be limited to such individuals or firms as were specifically identified and agreed to during negotiations, or as the owner specifically authorizes during the performance of this agreement. The owner must give prior approval for any substitutions in or additions to such subcontractors, associates, or consultants.

(b) The engineer may not subcontract services in excess of thirty (30) percent (or ——— percent, if the owner and the engineer hereby agree) of the contract price to subcontractors or consultants without the owner's prior written approval.

12. LABOR STANDARDS

To the extent that this agreement involves "construction" (as defined by the Secretary of Labor), the engineer agrees that such construction work shall be subject to the following labor standards provisions, to the extent applicable:

(a) Davis-Bacon Act (40 U.S.C. 276a—276a-7);

(b) Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333);

(c) Copeland Anti-Kickback Act (18 U.S.C. 874); and

(d) Executive Order 11246 (Equal Employment Opportunity);

and implementing rules, regulations, and relevant orders of the Secretary of Labor or EPA. The engineer further agrees that this agreement shall include and be subject to the "Labor Standards Provisions for Federally Assisted Construction Contracts" (EPA form 5720-4) in effect at the time of execution of this agreement.

13. EQUAL EMPLOYMENT OPPORTUNITY

In accordance with EPA policy as expressed in 40 CFR 30.420-5, the engineer agrees that he will not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, or national origin.

14. UTILIZATION OF SMALL AND MINORITY BUSINESS

In accordance with EPA policy as expressed in 40 CFR 35.936-7, the engineer agrees that qualified small business and minority business enterprises shall have the maximum practicable opportunity to participate in the performance of EPA grant-assisted contracts and subcontracts.

15. COVENANT AGAINST CONTINGENT FEES

The engineer warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees. For breach or violation of this warranty the owner shall have the right to annul this agreement without liability or in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

16. GRATUITIES

(a) If it is found, after notice and hearing, by the owner that the engineer, or any of the engineer's agents or representatives, offered or gave gratuities (in the form of entertainment, gifts, or otherwise), to any official, employee, or agent of the owner, of the State, or of EPA in an attempt to secure a contract or favorable treatment in awarding, amending, or making any determinations related to the performance of this agreement, the owner may, by written notice to the engineer, terminate the right of the engineer to proceed under this agreement. The owner may also pursue other rights and remedies that the law or this agreement provides. However, the existence of the facts upon which the owner bases such findings shall be in issue and may be reviewed in proceedings under the remedies clause of this agreement.

(b) In the event this agreement is terminated as provided in paragraph (a) hereof, the owner shall be entitled: (1) To pursue the same remedies against the engineer as it could pursue in the event of a breach of the contract by the engineer, and (2) as a penalty, in addition to any other damages to which it may be entitled by law, to exemplary damages in an amount (as determined by the owner) which shall be not less than 3 nor more than 10 times the costs the engineer incurs in providing any such gratuities to any such officer or employee.

17. PATENTS

If this agreement involves research, developmental, experimental, or demonstration work and any discovery or invention arises or is developed in the course of or under this agreement, such invention or discovery shall be subject to the reporting and rights provisions of subpart D of 40 CFR part 30, in effect on the date of execution of this agreement, including appendix B of part 30. In such case, the engineer shall report the discovery or invention to EPA directly or through the owner, and shall otherwise comply with the owner's responsibilities in accordance with subpart D of 40 CFR part 30. The engineer agrees that the disposition of rights to inventions made under this agreement shall be in accordance with the terms and conditions of appendix B. The engineer shall include appropriate patent provisions to achieve the purpose of this condition in all subcontracts involving research, developmental, experimental, or demonstration work.

18. COPYRIGHTS AND RIGHTS IN DATA

(a) The engineer agrees that any plans, drawings, designs, specifications, computer programs (which are substantially paid for with EPA grant funds), technical reports, operating manuals, and other work submitted with a step 1 facilities plan or with a step 2 or step 3 grant application or which are specified to be delivered under this agreement or which are developed or produced and paid for under this agreement (referred to in this clause as "Subject Data") are subject to the rights in the United States, as set forth in subpart D of 40 CFR part 30 and in appendix C to 40 CFR part 30, in effect on the date of execution of this agreement. These rights include the right to use, duplicate, and disclose such subject data, in whole or in part, in any manner for any purpose whatsoever, and to have others do so. For purposes of this clause, "grantee" as used in appendix C refers to the engineer. If the material is copyrightable, the engineer may copyright it, as appendix C permits, subject to the rights in the Government in appendix C, but the owner and the Federal Government reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use such materials, in whole or in part, and to authorize others to do so. The engineer shall include appropriate provisions to achieve the purpose of this condition in all subcontracts expected to produce copyrightable subject data.

(b) All such subject data furnished by the engineer pursuant to this agreement are instruments of his services in respect of the project. It is understood that the engineer does not represent such subject data to be suitable for reuse on any other project or for any other purpose. If the owner reuses the subject data without the engineer's specific written verification or adaptation, such reuse will be at the risk of the owner, without liability to the engineer. Any such verification or adaptation will entitle the engineer to further compensation at rates agreed upon by the owner and the engineer.

APPENDIX C-2—REQUIRED PROVISIONS—CONSTRUCTION CONTRACTS

SUPPLEMENTAL GENERAL CONDITIONS

1. General.
2. Changes.
3. Differing Site Conditions.
4. Suspension of Work.
5. Termination for Default; Damages for Delay; Time Extensions.
6. Termination for Convenience.
7. Remedies.
8. Labor Standards.
9. Utilization of Small or Minority Business.
10. Audit; Access to Records.
11. Price Reduction for Defective Cost or Pricing Data.
12. Covenant Against Contingent Fees.
13. Gratuities.
14. Patents.
15. Copyrights and Rights in Data.
16. Prohibition Against Listed Violating Facilities.
17. Buy American.

1. GENERAL

(a) The owner and the contractor agree that the following supplemental general provisions apply to the work to be performed under this contract and that these provisions supersede any conflicting provisions of this contract.

(b) This contract is funded in part by a grant from the U.S. Environmental Protec-

Item No. 50 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 51 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga is initiating a number of bonding authorizations for the 1981 year, and

WHEREAS, the planning, discussion and implementation of these projects requires certain professional consultation, and

WHEREAS, the preparation of the Bond or Bond Anticipation Note Sale prospectus (Official Disclosure Document) also requires certain special professional services, NOW, THEREFORE, BE IT

RESOLVED that the Certified Public Accounting firm of Main Hurdman and Cranstoun, Buffalo Office, be authorized to:

1. Consultation with Town Board on project selection for inclusion in the Bond Issue.

2. Preparation of provisional tax rate impacts for Town Board review.

3. Attendance at Town Board meetings relative to bonding program.

4. Preparation of explanatory material for distribution to interested taxpayers.

5. Preparation of "Official Town Disclosure Document" required for sale of bonds or bond anticipation notes.

6. Coordinating of competitive bidding on sale of bonds and bond anticipation notes.

7. Coordinating of bond or bond anticipation note closing transaction.

and BE IT FURTHER RESOLVED that the fee for such services be authorized at $8,500.00 to be pro-rated and charged against the various projects included in this 1981 bonding program.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 52 Motion by Councilman Johnson, seconded by Councilman Rogowski

BE IT RESOLVED that New York State Electric and Gas Corporation be and hereby is authorized to remove four (4) 2500 lumen incandescent lamps @ $40.94 each and 541 feet of underground conductor @ $.1065 per foot on Union Road, which are mounted in arches of the NYCRR bridge, in the Town of Cheektowaga, for a total annual decrease in the General Lighting District of $221.38.

*See next page for copy of Street Lighting Proposal.

February 13, 1981

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Union Road

Remove 4 - 2500 lumen inc. lamps @ $40.94 ea. --------- $163.76

Remove 541' underground conductor @ .1065/ft. --------- $ 57.62

TOTAL ANNUAL DECREASE -------- $221.38

These lights are mounted in the arches of the NYCRR bridge which puts them about 8' off the sidewalk. Maintaining these lights is a problem because of the low mounting height. Many times they are valdalized the same day they are repaired. These lights are old incandescent fixtures and anything we would replace them with would require revamping the existing wiring which is buried in the bridge and the new lights would also be subject to vandalism.

There are lights on either side of the bridge that put some light under the bridge. When the State rebuilt the bridge for Broadway which is next to this bridge, they did not provide for any lights under the new bridge, although the old bridge had lights under it.

NEW YORK STATE ELECTRIC & GAS CORPORATION

Item No. 52 Cont'd.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 53 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved:

GENERAL FUND

From:	A.4737.101	(Estimated Revenues-YCCIP)	$71,911.84
To:	A.6259.100	(YCCIP-Administration-Salaries)	$ 1,116.37
	A.6259.420	(YCCIP-Administration-Other Costs)	2,316.45
	A.6259.900	(YCCIP-Administration-Fringes)	125.49
	A.6260.100	(YCCIP-Participant-Wages)	33,010.90
	A.6260.110	(YCCIP-Training and Supervisory-Salaries)	7,199.15
	A.6260.402	(YCCIP-Supervisory-Supplies)	313.50
	A.6260.420	(YCCIP-Participant-Other Costs)	579.00
	A.6260.444	(YCCIP-Facility Rental)	1,225.00
	A.6260.900	(YCCIP-Participant-Fringes)	22,348.02
	A.6260.910	(YCCIP-Training and Supervisory-Fringes)	3,617.96
	A.6260.408	(YCCIP-Staff-Auto Allowance)	60.00
From:	A.3820.000	(Estimated Revenues-State Aid-Youth)	$ 1,000.00
	A.7310.493	(Youth-Mid Erie IV)	5,000.00
To:	A.7310.497	(Youth-Early Intervention-Catholic Charities)	$ 6,000.00

FEDERAL REVENUE SHARING FUND

From:	CF.3120.154	(Estimated Revenues)	$ 9,620.00
To:	CF.1620.448	(Office Renovation-Town Hall)	$ 9,620.00

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 54 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to March 2nd, 1981, are hereby approved and the SUPERVISOR is order to pay same.

FUND	CHECK NOS. FROM TO	AMOUNT
GENERAL FUND	10351,10358-10498,18618,18673, 18851, 18854-18857, 18861-18862	$ 86,700.50
SPECIAL DIST. FUND	10072-10130, 8212	84,672.44
HIGHWAY FUND	10090-10110, 10080	10,877.33
F.R.S. FUND	10121-10124	-0-
TRUST AND AGENCY FUND	954-955	495.00
H.U.D.-C.D.B.G. FUND	308-309	3,329.67
PART TOWN FUND	389-397	635.35

Item No. 54 Cont'd.

FUND	CHECK NOS.	AMOUNT
H.U.D.-N.P.P. FUND	140	$ 3,000.00
		$189,710.29

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 55 Building Permits.
Received and Filed.

Item No. 56 Cheektowaga Public Library Board - Minutes of January, 1981 Meeting.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 57 Erie County Department of Public Works: Designation of Restricted Highway - Losson Road.
Received and Filed.

Item No. 58 Erie County Department of Public Works: Letter regarding traffic study of intersection of Dick Road and North Creek Drive.
Received and Filed.

Item No. 59 St. John Gualbert Senior Citizens: Letter regarding Senior Citizens Center.
Item referred to Honorable Members of the Town Board; received and filed.

Item No. 60 Summons and Complaint: Thomas Pompeo vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, James Kirisits-Town Attorney, Alfred Wnek-Highway Superintendent, and Town Insurance Company; received and filed.

At this time James R. Burst formally resigned from his position as Town Councilman of the Town of Cheektowaga, New York; said resignation effective immediately.

*See next page for copy of Letter of Resignation.

To The Town Clerk of the Town of Cheektowaga:

Pursuant to Section 31 of the Public Officers Law of the State of New York, I, the undersigned, hereby give written notice of my resignation as Town Councilman of the Town of Cheektowaga, New York.

The resignation herein made shall take effect immediately.

James R Burst

JAMES R. BURST

RECEIVED

MAR 8 1991 - 8 P.M.

Richard M. Molosk, Town Clerk

*Item No. 33 At this time said item was brought before the Town Board to be acted upon (please refer to page 30).

Appointment to temporary position of Working Foreman in Sewer Maintenance Department.

Motion by Councilman Rogowski, seconded by Councilman Swiatek

WHEREAS, John Tabaczynski, the Working Foreman in the Sewer Maintenance Department, of the Town of Cheektowaga, has advised this Town Board of his retirement, which retirement will become effective April 1, 1981, and

WHEREAS, the retirement of John Tabaczynski will result in a vacancy in the position of Working Foreman in the said Sewer Maintenance Department, and

WHEREAS, this Town Board has the authority and duty to fill Town positions which become vacant with persons meeting job qualifications and, in the case of the position of Working Foreman, with a person capable of assuming same with a minimum of indoctrination along with proven administrative experience, and

WHEREAS, this Town Board has complied with the procedures established in its adopted affirmative action policy, NOW, THEREFORE, BE IT

RESOLVED that James R. Burst, of Cheektowaga, New York be and hereby is appointed Temporary Working Foreman in the Sewer Maintenance Department of the Town of Cheektowaga, effective March 4, 1981, and BE IT FURTHER

RESOLVED that the aforesaid temporary appointment of James R. Burst become a permanent appointment on April 1, 1981, and BE IT FURTHER

RESOLVED that the salary to be paid for said position shall be in accordance with the current collective bargaining agreement between the Town of Cheektowaga and the Supervisory Unit.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

* *

Motion by Councilman Swiatek, seconded by Councilman Johnson to Waive the Rules to include Item Nos. 61 and 62.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

* *

V. SUSPENSION OF RULES

Item No. 61 Reinstatement of employee in Cheektowaga Sanitation Department.

Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, Arbitrator, Eric W. Lawson, Sr., has ordered that the Town of Cheektowaga reinstate Michael Wodowski, AND

WHEREAS, Arbitrator, Eric W. Lawson, Sr., has awarded that the Town of Cheektowaga has violated the Collective Bargaining Agreement by dismissing Michael Wodowski on August 18, 1980, AND

Item No. 61 Cont'd.

WHEREAS, Arbitrator, Eric W. Lawson, Sr., has directed that Michael Wodowski be returned to the employment records of the Town as of the date of his termination and in the same status as that occupied by him when he was terminated, AND

WHEREAS, Arbitrator, Eric W. Lawson, Sr., has further directed that Michael Wodowski be removed from suspension as of March 1, 1981, and be placed in the same employment status he would have occupied had there been no termination, NOW, THEREFORE, BE IT

RESOLVED that Michael Wodowski be and hereby is reinstated as an employee of the Sanitation Department effective March 1, 1981.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 62 Approval of Change Order re: Sanitary Sewer District No. 5 Main Pump Station construction.

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, there is need to provide by-pass of excess flows during storm conditions at the Main Pump Station, now under construction, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 4, Contract No. 3A, for the Town's Sanitary Sewer District No. 5 Main Pump Station, in the amount of $91,465.00, as an addition to the contract of Frank Ciminelli Construction Company Inc., 135 Manhattan Avenue, Buffalo, New York 14215 be approved, and BE IT FURTHER

RESOLVED, that this Town Board, acting as the Board of Managers of Sewer District No. 5, directs and authorizes the Supervisor to sign said Change Order No. 4 on behalf of the Town's Sewer District No. 5.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 63 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

TOWN OF CHEEKTOWAGA, NEW YORK

* * * *
B I D S
* * * *

NO.	ITEM	PAGE
	Meeting No. 6 March 16, 1981	
2	Pool Maintenance Chemicals	1
3	Downstroke Vertical Baling Press for Chktg. Youth Bureau	1
4	One rotary mower for slope cutting by Highway Department	1
5	Seasonal road materials for Highway Department	1
6	Equipment for Cheektowaga Highway Department	1
	Meeting No. 8 April 6, 1981	
2	Five (5) full size sedan, Police vehicles - 1981 models	1

* * * * * * * * * * * * * * * * *

PUBLIC HEARINGS

* * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 6 March 16, 1981	
7	Proposed establishment of Water District #8	1-2
8	Proposed increase & improvement of facilities of the Consolidated Refuse and Garbage District	2-3
	Meeting No. 8 April 6, 1981	
3	Amendment to Zoning Ordinance - Article I: General Provisions Sec. 1-40; Article II: Residence District Regulations, Sect. 2-01 A.6 and Sec. 2-01 B.5	1-2
	Meeting No. 10 April 21, 1981	
2	Proposed Garbage, Rubbish & Refuse Collection Ordinance	1-2
3	Amendment to Traffic Ordinance - Article XIII "Truck Exclusions"- Chapel Avenue and Eggert Road between Sugar Rd. & Delavan Avenue	2

* * * * * * * * * * *
R E S O L U T I O N S
* * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 6 March 16, 1981	
9	Decision on Rezoning - 500 Dick Road	3-4
10	Permission to erect advertising sign on property located adjacent to Taxiway A of the Greater Buffalo International Airport's runway 23	4
11	Decision on amendment to Traffic Ordinance - Article VIII "Stop and Yield Intersections" - St. Boniface Road, Dick Road; Article X-Parking, Standing, Stopping" - Rossler Avenue	4-5
12	Memorialize U.S. Congress re: withdrawal of IRS ruling 80-55	6
13	Authorization for Town Engineer to contract for construction of Crandon connection	6
14	Authorization for Supervisor to sign application for submission to N.Y.S. Council on the Arts	6-7
15	Authorization for Supervisor to sign agreement with Nussbaumer and Clarke regarding reconstruction of Clinton Street sanitary sewers	7
16	Authorization for Supervisor to sign agreement with Nussbaumer and Clarke, regarding Drainage study	7-8
17	Authorization for Supervisor to sign agreement with Lockwood Mapping, Inc., regarding flooding in S.W. Section of Town	8
18	Authorization for Supervisor to sign agreement with the U.S. Dept. of Transportation for Lease Agreement	8
19	Notice to Bidders for five (5) full size Sedans, Police Vehicles	9
20	Award of bid for new trees for Highway	10-11
21	Development of Industrial Guidelines Review Committee and appointments to same	11
22	Create position of Senior Engineering Assistant	11-12
23	Appointment to position of Assistant Working Foreman in Sanitation	12
24	Hiring of seasonal employee in Facilities	12
25	Abolishment of several vacant job titles	12
26	Termination of two (2) employees under Y.C.C.I.P. (Youth Community Conservation and Improvement Project)	12
27	Additional leave of absence for six (6) months for Senior Recreation Supervisor in the Recreation Department	13
28	Amend resolution of March 2, 1981 regarding hiring under C.E.T.A.	13
29	Amend resolution of March 2, 1981 regarding appointment of Temporary Working Foreman in Sewer Maintenance	14
30	Authorization for ten (10) members of the Cheektowaga Traffic Safety Commission to attend course	14
31	Authorization for Police Lieutenant to attend seminar	14-15
32	Authorization for Recreation Director to attend conference	15
33	Retain firm to appraise property known as "Hitchcock House"	15
34	Allocation of funds for various Town cultural groups	15-16
35	Transfer of Funds	16
36	Warrant List	16

NO.	ITEM	PAGE

Meeting No. 8 April 6, 1981

4	Date change for next regular Town Board Meeting	2
5	Resolution approving Establishment of Water District No. 8	2
6	Resolution and Order approving Increase & Improvement of Facilities of Consolidated Refuse and Garbage Dist. (Purchase of four packers and other equipment)	3
7	Decision on amendment to Traffic Ordinance - Article VIII: Stop & Yield Intersections - (Barbados Drive and Philip Drive)	4
8	Call for public hearing to amend Traffic Ordinance - Article XIII: Truck Exclusions - (Chapel Avenue and Eggert Road-between Sugar Rd. and Delavan Avenue)	5-6
9	Call for public hearing relative to adoption of Garbage, Rubbish and Refuse Collection Ordinance	7-10
10	Call for public hearing for rezoning - rear portion of 3082 Union Rd.	11
11	Call for public hearing relative to Step II Federal Grant for sewer rehabilitation in Sanitary Sewer District No. 3	11-12
12	Adotpion of Rules and Regulations setting forth procedures for public inspection and Copying of Records	13-15
13	Resolution relative to 1981 Erie County Reapportionment Plan	16
14	Authorization for Town Attorney's Office and Police Dept. to enter into legal action regarding Damaged Town Automobile	16
15	Authorization for installation of fire hydrant on north side of Clinton St. east of Harlem Road; removal of hydrant from south side of Clinton Street	17
16	Authorization for Nussbaumer & Clarke, Inc. to prepare plans, specs and map re: Stage II, Phase II Cedargrove Heights Improvement Project	17
17	Approval of Change Order relative to Chapel-Smith Drainage Project, Phase I	17-18
18	Approval of Change Order relative to Chapel Avenue Reconstruction Project, Phase II	18-19
19	Award of bid for one (1) Slope Mower for Town of Cheektowaga	19-20
20	Award of bid for Maintenance Chemicals for various Town requirements for 1981	20-21
21	Award of bid for Pool Maintenance Chemicals for 1981	21-22
22	Authorization for Kennel Club of Buffalo, Inc. to utilize facilities at John C. Stiglmeier Park on 5/31/81 relative to "Dog Show"	22-23
23	Town Board Authorization for Waiver of Article 48-8 of Code of the Town of Cheektowaga on 5/31/81 relative to "Dog Show" at John C. Stiglmeier Park	23
24	Authorization for N.Y.S. Electric & Gas Corp. to install street light on Eden Lane	23-24
25	Appointment to position of Senior Engineer Assistant in Cheektowaga Engineering Dept.	24
26	Appointment to vacant position of Clerk-Typist in Cheektowaga Justice Department	24
27	Appointment to temporary position of Clerk-Typist in Assessor's Off.	24-25
28	Hiring of Seasonal Help - Sewage Treatment Plant No. 5	25
29	Reappointment to Cheektowaga Planning Commission	
30	Youth Bureau - Termination of employees under YCCIP Program	25-26
31	Youth Bureau - Hiring under YCCIP Program	26
32	Youth Bureau - Hiring under Youth Conservation Corps (YCC) Program	26-27
33	Termination of employee from Cheektowaga Central Garage	27

NO.	ITEM	PAGE
	Meeting No. 8 April 6, 1981 cont'd	
34	Authorization for Building Inspector to attend Sixth Annual Bldg. Officials School in Victor, N.Y.	27
35	Military Leave of absence for Executive Director of Youth Bureau	27
36	Allocation of funds through Federal Revenue Sharing relative to completion of various drainage projects	28
37	Transfer of funds	28
38	Warrant List	29
	Meeting No. 10 April 21, 1981	
4	Acceptance of contract between Town and Supervisory Unit	1-2
5	Decision on amendment to Zoning Ordinance	3-4
6	Decision on Sign Permits for 1068 Walden Ave. & 2352 Genesee St.	5
7	Call for public hearing for rezoning at 146 Bennett Road	5
8	Notice to Bidders for three (3) or four (4) 1981 Garbage trucks with rear loading packer bodies for Sanitation Department	6
9	Notice to Bidders for one (1) 1981 Truck chassis for the sewer flusher	7
10	Award of bid for road materials	8-9
11	Award of bid for five (5) Police autos	9-10
12	Abandonment of Cambria Street as Town Highway	10-11
13	Authorization for Topsoil Removal Permit	11-12
14	Authorization for Town Attorney's Office to appeal decision regarding lawsuit	12
15	Designation of Clean-up, Paint-up and Fix-up week	12
16	Authorization for Supervisor to sign application for financial assistance for the Polish-American Arts Festival	13
17	Emergency sewer repairs at 74 & 82 Susan Lane in S.S.D. No. 5	13
18	Change Order for S.S.D. #5 Main Pump Station	13-14
19	Establishment of payroll policies for summer seasonal employees	14
20	Establishment of petty cash fund for Recreation Department	14
21	Appointment to position of Laborer in Sanitation Department	14
22	Appointment of General Mechanic, Full-Time in the Facilities Dept.	14-15
23	Hiring of individual in Hometown Beautification	15
24	Hiring of individual for Y.C.C.I.P. (Youth Community Conservation and Improvement Project)	15
25	Military leave of absence for Police Officer	15-16
26	Retain consultant regarding erosion control problems	16
27	Transfer of Funds	16
28	Warrant List	16-17

* *

D E P A R T M E N T A L C O M M U N I C A T I O N S

* *

NO.	ITEM	PAGE
	Meeting No. 6 March 16, 1981	
37	Supervisor's Statement of Funds	17
38	Health report for February	17
39	Letter from Highway Department regarding Losson Green Estates, Phase I	17
	Meeting No. 8 April 6, 1981	
39	Building Permits	29
40	Supervisor's Statement of Funds - December 1980	29
41	Cheektowaga Public Library Board - minutes of meeting held 2/27/81	29
	Meeting No. 10 April 21, 1981	
29	Health Reports	17
30	Cheektowaga Public Library Board - Minutes from March Meeting	17

* *

GENERAL COMMUNICATIONS

* *

NO.	ITEM	PAGE
	Meeting No. 6 March 16, 1981	
40	NOTICE OF CLAIM - Janet Thibodeau vs Town of Cheektowaga	17
41	NOTICE OF CLAIM - Richard F. Schmukal vs Town of Cheektowaga	17
	Meeting No. 8 April 6, 1981	
42	Barber B. Conable, Jr., U.S. Congressman - Correspondence acknowledging Town Board resolution of 3/16/81 re: Revenue Procedure 80-55 issued by I.R.S. on 12/15/80	29
43	N.Y.S. Dept. of Transportation - Correspondence re: Harlem Road--Walden Avenue intersection improvements	29
44	N.Y.S. Commission on Cable Television - order approving transfer of Comax Telcom Corp. system to Prime Cable Corp.	30
45	Erie County Legislature - Copy of resolution adopted 3/5/81 re: County-wide Revaluation Project Project	30
46	Erie County Legislature - copy of resolution adopted 3/5/81 re: Notice of Termination of Sales Tax Revenue Distribution Agreement	30
47	ORDER TO SHOW CAUSE - Dennis L. Repka vs. Town Board of Chktg.	30
48	PROOF OF CLAIM AND NOTICE OF INTENTION TO SUE - Elaine F. Niewiemski vs Town of Cheektowaga and David J. Przepiora	30
49	D.A.V. Regional Office - correspondence relative to enactment of Local Law to be known as "Veterans Proportional Exemption Law"	30
50	Resident Petition for submission of resolution to permissive referendum re: Eight (8) Bonding Issues approved 3/2/81	30
51	ORDER TO SHOW CAUSE - Joseph Parco, Sr. vs Town of Cheektowaga Town Board	30
	Meeting No. 10 April 21, 1981	
31	Senator D. Moynihan, U.S. Senate - letter regarding Revenue Procedure 80-55	17
32	N.Y.S. Dept. of Trans. - Notice of Order and Signal Operation Specs regarding signal at Walden and Pine Ridge	17
33	N.Y.S. Dept. of Trans. - Designation of Restricted Highway-ClintonSt.	17
34	E.C. Dept. of Public Works - Designation of restricted highway - Rowley Road from Indian to Borden	17
35	E.C. Legislature - resolutions regarding cost of relocating water lines (Losson Road reconstruction)	18
36	NOTICE OF CLAIM - Stanley Krzeminski vs Town of Cheektowaga	18
37	Joseph Parco. Sr., taxpayer - objection to petition for submission of resolution to permissive referendum	18

SUSPENSION OF RULES

NO.	ITEM	PAGE
	Meeting No. 6 March 16, 1981	
42	Authorization for Supervisor to sign agreement with U.S. Dept. of Labor regarding Y.C.C.I.P.	17
43	Authorization for Supervisor to sign STEP I Grant Application S.S.D. #7	18
44	Authorization for Supervisor to sign agreement for engineering services to conduct STEP I work in S.S.D. #7	18
	Meeting No. 8 April 6, 1981	
52	Hiring of Law Clerk in Town Attorney's Office	30-31
	Meeting No. 10 April 21, 1981	
38	Create position of "Clerk-Typist" in Police Department	18

* *

REGULARLY ADJOURNED MEETING

* *

NO.	ITEM	PAGE
	Meeting No. 7 March 26, 1981	
2	Authorization for Town of Cheektowaga to pay portion of costs with regard to bridge inventory and/or inspection	1
3	Award of bid for general insurance program	1-2
4	Re-hire comprehensive claim service	2

* * * * * * * * * * * * * * * * *
S P E C I A L M E E T I N G
* * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE

Meeting No. 9 April 17, 1981

2	Set date and time of Special Election relative to Permissive Referendum on eight (8) Bonding Issues approved March 2, 1981	1-7

MEETING NO. 6

CHEEKTOWAGA, NEW YORK
March 16, 1981

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 16th day of March, 1981 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; John Malloy, C.P.A., Ron Marten, Building and Plumbing Inspector; Pat Wojcik, Recreation Supervisor - Senior Citizens; Mike Miecznikowski, Temporary Director of Recreation; Chief of Police, T. DeFedericis; Julia Reinstein, Town Historian; Sal LaGreca, Assistant Manpower Program Director I; Dr. Louis Vendetti, Town Health Officer; Ron Zoeller, Working Foreman in the Sanitation Department; James Burst; Temporary Working Foreman in the Sewer Maintenance Department; George Burst, Central Garage Foreman.

I. BIDS

Item No. 2 Pool Maintenance Chemicals
Referred to Chester Bryan, Town Engineer.

Item No. 3 Downstroke Vertical Baling Press for Cheektowaga Youth Bureau
Referred to Ken Kopacz, Executive Director of the Youth Bureau

Item No. 4 One rotary mower for slope cutting by Highway Department
Referred to Alfred Wnek, Highway Superintendent.

Item No. 5 Seasonal road materials for Highway Department
Referred to Alfred Wnek, Highway Superintendent.

Item No. 6 Equipment for Cheektowaga Highway Department
Referred to Alfred Wnek, Highway Superintendent.

II. PUBLIC HEARINGS

Item No. 7 This being the time and place advertised for a public hearing to consider the advisability of establishment of Water District No. 8, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Article 12-A of the Town Law, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

* See next six (6) pages for description.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York.

March 16, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in the Town, on March 16, 1981, at 7:00 o'clock P .M.(E.S.T.).

There were present: Honorable Kenneth J. Meyers, Supervisor, and
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
~~Councilman James R. Burst~~
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent:

Also present: Richard M. Moleski, Town Clerk
James J. Kirisits, Town Attorney

* * *

At 7:00 o'clock P .M.(E.S.T.) the Town Clerk stated that a public hearing had been called for this meeting at the Town Hall, in said Town, at 7:00 o'clock P .M.(E.S.T.) to consider the proposed establishment of Water District No. 8, in said Town, and construction of a water system therein. The Town Clerk presented affidavits showing that certified copies of the Order Calling said Public Hearing had been published and posted pursuant to the provisions of Article 12-A of the Town Law.

The Supervisor stated that the public hearing on the establishment of said proposed Water District No. 8, in the Town of Cheektowaga, and the construction of a water system therein was now open and asked if there was any interested person who desired to be heard.

The following persons appeared in favor of the establishment of said proposed Water District No. 8 and the construction of a water system therein:

None

The following persons appeared in opposition to the establishment of said proposed Water District No. 8 and the construction of a water system therein:

None

The Town Clerk reported that the following pertinent written communications had been received:

None

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

* * *

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 16, 1981, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 16th day of March, 1981

Richard M. Moleski
Town Clerk

(Seal)

b. Legal Description

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lots 79, 80, 81 and 82, Township 11, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

Beginning at the point of intersection of the centerline of Ellicott Creek and the southeasterly property line of the Greater Buffalo International Airport;

Thence northeasterly along the southeasterly property line of lands of said Airport for a distance of 2,960 feet, more or less, to the southerly right-of-way line of the Governor Thomas E. Dewey Thruway;

Thence southerly at right angles to said southerly line of Thruway for a distance of 870 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,125 feet, more or less, to the easterly line of lands of Niagara Mohawk Power Corporation;

Thence southerly along said easterly line of lands of Niagara Mohawk Power Corporation for a distance of 600 feet, more or less;

Thence easterly at right angles to the last described line for a distance of 1,380 feet, more or less, to a point in the westerly line of Lot 79, Township 11, Range 7;

Thence northerly along said westerly line of Lot 79 to the southerly right-of-way line of the New York State Governor Thomas E. Dewey Thruway;

Thence southeasterly along said southerly line of Thruway to the dividing line between the Towns of Cheektowaga and Lancaster;

Thence southerly along said dividing line, being also the centerline of Transit Road, being also the easterly line of said Lot 79 to the centerline of Ellicott Creek;

Thence generally westerly along said centerline of Ellicott Creek to the point of beginning.

The above describing the boundary lines of proposed Water District No. 8.

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn, deposes and says:

That he is and at all times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a certified copy of an Order Calling Public Hearing duly adopted by the Town Board of said Town on March 2, 1981, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law in the following places, and that said places constitute at least five (5) of the most public places within the proposed District:

1. Telephone pole No. 11 - 1 NYT, 4 - 1 NYSE&G, 810 Rein Road, located in front of Voiture Local #51 Building, Cheektowaga, New York.
2. Telephone pole No. 23 - 5 NYT, 3534-20 NYSE&G, located at the corner of Scott Place and Aero Drive, Cheektowaga, New York.
3. NYSE&G pole No. W-24 - 266, NYT - 7, Pfohl Road and Rein Road, Cheektowaga, New York
4. NTSE&G pole No. 40 - 266, NYT - 13, 592 Aero Drive, Cheektowaga, New York
5. NYSE&G pole No. 261 - 5, NYT - 10, 829 Rein Road, Cheektowaga, New York

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Item No. 7 cont'd

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

Item No. 8 This being the time and place advertised for a public hearing to consider the advisability of Increase and Improvement of Facilities of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

* See next four (4) pages for description

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York

March 16, 1981

* * *

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in the Town, on March 16, 1981, at 7:00 o'clock P .M.(E.S.T.)

There were present: Honorable Kenneth J. Meyers, Supervisor, and
Councilman ~~Frank~~ E. ~~Swiatek~~
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
~~Councilman James R. Burst~~
Councilman Donald J. Wegner
Councilman William P. Rogowski

There were absent:

None

Also present: Richard M. Moleski, Town Clerk

James J. Kirisits, Town Attorney

* * *

At 7:00 o'clock P .M.(E.S.T.) the Town Clerk stated that a public hearing had been called for this meeting at the Town Hall, in said Town, at 7:00 o'clock P .M. (E.S.T.) to consider the increase and improvement of facilities of the Consolidated Refuse and Garbage District, in the Town. The Town Clerk presented affidavits showing that certified copies of the Order Calling said Public Hearing had been published and posted pursuant to the provisions of Article 12 of the Town Law.

The Supervisor stated that the public hearing in said matter was now open and asked if there was any interested person who desired to be heard.

The following persons appeared in favor of the increase and improvement of facilities:

None

The following persons appeared in opposition to the increase and improvement of facilities:

None

The Town Clerk reported that the following pertinent written communications had been received:

None

The Supervisor inquired as to whether there were any other persons who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

* * *

General - No Veto 9/1/75 (2M)

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 16, 1981, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 16th day of March, 1981

Richard M. Moleski

(Seal) Town Clerk

STATE OF NEW YORK)
: ss:
COUNTY OF ERIE)

RICHARD M. MOLESKI, being duly sworn upon his oath, deposes and says:

That he is and at all the times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, New York; that on the 5th day of March, 1981, he caused to be conspicuously posted and fastened up a certified copy of an Order Calling Public Hearing for the increase and improvement of facilities of the Consolidated Refuse and Garbage District of the Town of Cheektowaga, a true copy of which is annexed hereto and made a part hereof, on the sign board of said Town maintained pursuant to Section 30 (6) of the Town Law and in the following places constituting five (5) of the most public places within the District, in the Town of Cheektowaga, New York, referred to in said Order Calling Public Hearing:

1. Pine Hill Fire Company No. 5 - located outside bulletin board, 2435 Genesee Street, Cheektowaga, New York.
2. St. Andrew's Church bulletin board, Reiman and Crocker Streets, Sloan, New York.
3. Doyle Volunteer Hose Company No. 1 - NYSE&G pole No. 419 - 205, William and Alaska Streets, Cheektowaga, New York.
4. St. Barnabas School Hall bulletin board - George Urban Boulevard, Cheektowaga, New York.
5. Southline Volunteer Fire Company No. 10 - NYSE&G pole No. 392, NYT 110 - 1, 1049 French Road, Cheektowaga, New York.

Richard M. Moleski
Town Clerk

Subscribed and sworn to before me
this 5th day of March, 1981.

Vickie L. Dankowski
Notary Public, State of New York

VICKIE L. DANKOWSKI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1983

Item No. 8 cont'd

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

III. RESOLUTIONS

Item No. 9 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Dennis L. Repka has applied for a rezoning from R-Residential District to RC-Restricted Business District for the property owned by him and located at 500 Dick Road, Cheektowaga, New York; which property is more particularly described in the attached copy of the face of the deed thereto, and

WHEREAS, a public hearing was held before this Town Board on the 17th day of December, 1981 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, there is insufficient on-site parking for the proposed use of the said property; and that should the property be rezoned the owner would still have to apply to the Zoning Board of Appeals for a variance; and

WHEREAS, any rezoning of the subject property would be detrimental to the fully developed abutting residential properties,

NOW, THEREFORE, BE IT RESOLVED that the application of Dennis L. Repka for the rezoning of 500 Dick Road, Cheektowaga, New York from R-Residential to RC-Restricted Business District be and the same is hereby denied.

* See next two (2) pages for description

101 DEED Warranty with lien covenant (Individual)

Sanders Legal Publishers
Prudential Bldg., Buffalo N.Y. 14202

This Indenture,

Made the July *day of* *Nineteen Hundred and* Seventy-Eight

Between

KEVIN C. BATT and PATRICIA J. BATT, his wife, residing at Lancaster, New York

part ies *of the first part, and*

DENNIS L. REPKA and BEVERLEY A. REPKA, his wife, residing at Cheektowaga, New York

part ies *of the second part.*

Witnesseth, *that the part* ies *of the first part, in consideration of* * * * ONE AND MORE * * * *Dollar* s ($ 1.00 & More) *lawful money of the United States, paid by the part* ies *of the second part, do* es *hereby grant and release unto the part* ies *of the second part,* their heirs *and assigns forever,*

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 3, Township 11, Range 7 of the Holland Land Company's survey, and further distinguished as Sublot 219, as shown on map filed in Erie County Clerk's Office under Cover No. 2159.

EXCEPTING THEREFROM that part of premises conveyed to the County of Erie by Deed recorded on December 2, 1971, in Liber 7868 of [redacted] at page 81.

"THIS DEED RE-RECORDED TO CORRECT ACKNOWLEDGMENT."

RECEIVED
$ 57.20
REAL ESTATE
TRANSFER TAX
74 ERIE COUNTY

EXHIBIT A

LIBER 8875 PAGE 387

Together *with the appurtenances and all the estate and rights of the part* ies *of the first part in and to said premises,*

To have and to hold, *the above granted premises unto the said parties of the second part,* their heirs *and assigns forever.*

And *said* KEVIN C. BATT & PATRICIA J. BATT, h/w *covenant as follows:*

First, *that the part* ies *of the second part shall quietly enjoy the said premises;*

Second, *that said* KEVIN C. BATT & PATRICIA J. BATT, h/w *will forever* **Warrant** *the title to said premises.*

Third, *that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.*

In Witness Whereof, *the part* ies *of the first part have hereunto set* their *hand(s) and seal(s) the day and year first above written.*

In Presence of

_____ ls
KEVIN C. BATT

_____ ls

_____ ls
PATRICIA J. BATT

_____ ls

State of New York
County of ERIE } ss.:

On this [illegible] *day of* July *Nineteen Hundred and* Seventy-Eight
before me, the subscriber, personally appeared

KEVIN C. BATT and PATRICIA J. BATT, his wife

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and ~~he/she~~ *(they) acknowledged to me that* ~~he/she~~ *(they) executed the same.*

_____

DENNIS L. REPKA
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19__

State of New York
County of } ss.:

On this [illegible] *day of* November *Nineteen Hundred and* Seventy-Nine
before me, the subscriber, personally appeared

KEVIN C. BATT and PATRICIA J. BATT, his wife

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and ~~he/she~~ *(they) acknowledged to me that* ~~he/she~~ *(they) executed the same.*

_____

JOSEPH M. MURDINO
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

Deed
Warranty, with Lien Covenant
Individual

KEVIN C. BATT & PATRICIA J. BATT, h/w
12 Quincy, Lancaster, New York

to

DENNIS L. REPKA & BEVERLEY A. REPKA, h/w
9 Creekview Dr., Cheektowaga, N.Y.

Dated July 1978

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber ____ Page ____
of ____
on the ____ day of ____
A.D. 19__ at ____ o'clock ____M
and examined.
____ Clerk

THIS SPACE FOR CLERK'S TIME STAMP
Do not write in this space.

Item No. 9 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, Trans View Displays, Inc. had applied for a permit to erect an outdoor advertising sign on property owned by CONRAIL and located adjacent to taxiway A of the Greater Buffalo International Airport's runway 23, which permit was denied by Mr. Ronald Marten, the Building and Plumbing Inspector of the Town of Cheektowaga, as being in violation of Section 6-22(1) of the Zoning Ordinance of the Town of Cheektowaga; and

WHEREAS, on or about May 9, 1980 Trans View Displays, Inc. applied for a variance of Section 6-22 (1) of the said Zoning Ordinance; which application was denied by the Zoning Board of Appeals; and

WHEREAS, on or about June 11, 1980 Trans View Displays, Inc. served a Notice of Petition and Petition on the Town Clerk of the Town of Cheektowaga in a Special Proceeding entitled "Transview Displays, Inc., Furman E. French - against - the Town of Cheektowaga, Zoning Board of Appeals and Ronald Marten, Building Inspector," whereby review was sought of the Building and Plumbing Inspector's interpretation of Section 6-22 (1) of the Zoning Ordinance and of the Zoning Board of Appeal's denial of its variance; and

WHEREAS, by Decision and Order, dated January 12, 1981, the Hon. Frank R. Bayger, Justice of the Supreme Court, stated that "Permission for construction may not properly be withheld under authority of section 6-22 (1) of the zoning ordinance and this matter is therefore remitted to the respondent authorities for issuance of the requisite permit upon such administrative conditions, if any, as may be proper and appropriate under the circumstances"; and

WHEREAS, Section 3-01 A. 4. of the Zoning Ordinance provides that a permit for the erection and maintenance of an advertising sign" shall be issued at the discretion of the Town Board, by a Town Board resolution and upon prior recommendation of the Building Inspector,"

NOW, THEREFORE, BE IT RESOLVED that, based upon the Decision and Order of State Supreme Court Justice Frank R. Bayger, a permit to erect and maintain the advertising sign applied for by Trans View Displays, Inc. be issued.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held public hearings on the 2nd day of February, 1981 and the 17th day of February, 1981 to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearings being held in accordance with Notices thereof which were duly published as required by law, at which hearings an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

Item No. 11 cont'd

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following street:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
DICK ROAD	North-South	AMTRAK ROAD	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

D. No standing here to corner

ROSSLER AVENUE

(1) West side: one hundred (100) feet north of Dingens Street.

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the date on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the Villages of Depew and Sloan.

Section 4. Publication.

That these amendments to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication March 19 1981; last publication March 19 1981; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 20th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

Legal Notices

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of March, 1981 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
Donald J. Wegner
William P. Rogowski
ABSENT: 0

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, this Town Board duly held public hearings on the 2nd day of February, 1981 and the 17th day of February, 1981 to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, said hearings being held in accordance with Notices thereof which were duly published as required by law, at which hearings an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by adding thereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following street:

Street, DICK ROAD; Direction, North-South; Entrance Street, AMTRAK ROAD; Traffic Stops, Westbound; Sign Location, N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

D. No standing here to corner

ROSSLER AVENUE

(1) West side: one hundred (100) feet north of Dingens Street.

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission.

Section 3. Territorial Application.

These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the Villages of Depew and Sloan.

Section 4. Publication.

That these amendments to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in The CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of these amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor	
Meyers	Voting AYE
Councilmen:	
Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 16, 1981, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 11, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of March, 1981.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: March 19, 1981

Item No. 12 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Internal Revenue Service has issued a procedure designated as IRS Ruling 80-55 under which banks can no longer deduct interest paid on state and local government time deposits which are secured by tax exempt bonds, and

WHEREAS, the implementation of this ruling has been delayed until June 1, 1981, and

WHEREAS, the implementation of such a ruling will have a disastrous impact upon the cost of local government borrowings and also could impact their investment programs, NOW, THEREFORE, BE IT

RESOLVED that the U.S. Congress be memorialized to secure permanent withdrawal of IRS ruling 80-55 and that copies of this resolution be furnished to Congressman Kemp and Conable as well as Senators Moynihan and D'Amato.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, it is the desire of this Town Board as the Board of Managers for Sanitary Sewer District #7 to continue to make improvements in said district, and

WHEREAS, relief of sanitary sewer surcharging can be accomplished by the construction of a connection from the Crandon sanitary sewer system to the Northeast Interceptor, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is hereby authorized and directed to contract for the construction of the Crandon connection, and contractor's costs not to exceed $3,000, and BE IT FURTHER

RESOLVED that costs for said work are to be charged to the Sanitary Sewer District #7 budget.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilman Swiatek, seconded by Councilman Dux

WHEREAS, it is the intention of the Town of Cheektowaga to sponsor a "Polish-American Arts Festival" within the Town during the month of August, 1981, and

WHEREAS, the goal of such a Festival is the cultural enrichment of area and State residents, and the preservation of the Polish-American cultural heritage, and

WHEREAS, such a Festival will include presentations by various professional singing and dancing companies and societies, and

WHEREAS, financial assistance is available through the New York State Council on the Arts to help defray the costs and expenses of said presentations, and

WEHREAS, an application to the New York State Council on the Arts has been prepared by the Town Community Development Director, requesting the amount of $5,960 for the presentation of the Cheektowaga "Polish-American Arts Festival," and

Item No. 14 cont'd

WHEREAS, the submission of said application was required in a timely manner, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to sign said application on behalf of the Town Board, and any and all related documents for submission to the New York State Council on the Arts, said authorization being retroactive to February 28, 1981, and BE IT FURTHER

RESOLVED that a certified copy of this Resolution be forwarded to State Assemblyman Dennis Gorski and State Senator Dale Volker.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Clinton Street sanitary trunk sewer serving the Clinton Garden Section of the Town is in need of reconstruction in the vicinity of the New York State Thruway, so as to correct deficiencies in the sanitary piping, NOW, THEREFORE, BE IT

RESOLVED that the proposal submitted by Nussbaumer & Clarke, Inc. in their letter of March 12, 1981, to the Town Engineer for preparation of Plans and Specifications and engineering related to the reconstruction of the Clinton Street Sanitary Sewer, be and hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor on behalf of this Town Board is authorized and directed to sign the agreement with Nussbaumer & Clarke, Inc., for siad preparation of Plans and Specifications and engineering services, and BE IT FURTHER

RESOLVED that costs of this engineering work is to be charged to the Sanitary Sewer District No. 3 fund balance.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Southwest section of Town is subject to frequent street flooding and sanitary sewer overloading which conditions contribute to basement flooding in this area which is situated in the Town Sanitary Sewer District No. 3, and

WEHREAS, there is need for a mapping and drainage study so as to develop a plan for storm sewer improvement as a means of reducing said flooding conditions, NOW, THEREFORE, BE IT

RESOLVED that the proposal submitted by the consulting engineering firm of Nussbaumer and Clarke, Inc. in their letter of March 5, 1981 to the Town Engineer be and hereby is accepted and said consulting engineering firm is to undertake the drainage study as proposed, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is authorized and directed to sign the agreement with Nussbaumer & Clarke, Inc., for said drainage study in the southwest section of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that costs of said drainage study are to be charged to the Sanitary Sewer Districts No. 3 fund balance which charge appears to be permissible as a means to control storm water inflow and infiltration into the sanitary sewer system.

Item No. 16 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the southwest section of Town is subjected to frequent street flooding and sanitary sewer overloading, which conditions contribute to basement flooding in this area which is situated in the Town Sanitary Sewer District No. 3, and

WHEREAS, there is need for a mapping and drainage study so as to develop a plan for storm sewer improvement as a means of reducing said flooding conditions, NOW, THEREFORE, BE IT

RESOLVED that the proposal submitted by Lockwood Mapping, Inc., in their letter of February 27, 1981 to the Town Engineer in the amount of $12,560.00, be and hereby is accepted and said Lockwood Mapping, Inc. is to undertake the mapping program as proposed, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board is authorized and directed to sign the agreement with Lockwood Mapping, Inc., for said mapping in the southwest section of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the costs of said mapping are to be charged to the Sanitary Sewer District No. 3 fund balance which charge appears to be permissible as a means to control storm water inflow and infiltration into the sanitary sewer system.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Federal Aviation Administration desires to install, operate and maintain a 40-foot high wind shear West Remote Site to serve the Greater Buffalo International Airport, and

WHEREAS, the location selected for said site is a 10-foot by 10-foot plot located within Greenwood Place (a paper street) and north of Crestwood Place, and

WHEREAS, the Town is desirous of cooperating with the Federal Aviation Administration to promote safety in the operation of aircraft using the Greater Buffalo International Airport, NOW, THEREFORE, BE IT

RESOLVED that this Town Board agrees to enter into a Lease Agreement with the Federal Aviation Administration for the requested 10-foot by 10-foot plot, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is authorized and directed to sign this agreement with the U.S. Department of Transportation for said Lease Agreement.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Police Department has submitted a request to the Equipment Management and Procurement Committee for five (5) Full Size Sedan Police Vehicles, 1981 Models, and

WHEREAS, the Town of Cheektowaga Town Board has approved funds in the 1981 Budget for said vehicles, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby directs the Town Clerk to publish a Notice to Bidders in the Cheektowaga Times for the following vehicles:

Five (5) Full Size Sedan, Police Vehicles - 1981 Models

and BE IT FURTHER

RESOLVED that the Town Board will meet on the 6th day of April, 1981 at 7:00 p.m., Eastern Standard Time for the purpose of receiving sealed bids, at which time said bids shall be publicly opened by the Town Board at a public meeting called for that purpose, and BE IT FURTHER

RESOLVED that said bids shall be referred to Mr. George Burst, Central Garage Foreman for review and recommendation of award.

* *

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 6, 1981 at 7:00 p.m., at the Town Hall, corner of Broadway and Union Road for the furnishing of the following vehicles:

Five (5) Full Size Sedan, Police Vehicles - 1981 Models

Information for prospective bidders and specifications may be obtained from the Town Clerk at his office, located in the Town Hall, Broadway and Union Roads, Cheektowaga, New York.

The Town Board reserves the right to award said Bid proposals of the "Notice to Bidders" as applied to the best interest of the Town of Cheektowaga.

The Town Board further reserves the right to consider informal any bid not prepared and submitted in accordance with the provisons of the specifications, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI
Town Clerk

DATED: March 16, 1981

* *

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA } ss.

Gladys M. Seckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication March 19, 1981; last publication March 19, 1981; and that no more than six days intervened between publications.

Gladys M. Seckter

Sworn to before me this 20th day of March, 1981

Naidine C. Williams

Notary public in and for Erie County, N. Y.

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

Legal Notices

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 6, 1981 at 7:00 p.m. at the Town Hall, corner of Broadway and Union Road for the furnishing of the following vehicles:

Five (5) Full Size Sedan, Police Vehicles - 1981 Models

Information for prospective bidders and specifications may be obtained from the Town Clerk at his office, located in the Town Hall, Broadway & Union Roads, Cheektowaga, New York.

The Town Board reserves the right to award said Bid proposals of the "Notice to Bidders" as applied to the best interest of the Town of Cheektowaga.

The Town Board further reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

RICHARD M. MOLESKI
Town Clerk

DATED: March 16, 1981
PUBLISHED: March 19, 1981

Item No. 20 Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the purchase of new trees for spring planting by the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been completed, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to Schichtel Nursery, 6745 Chestnut Ridge Road, Orchard Park, New York 14127; said bidder being the lowest responsible bidder meeting specifications as set forth in the tabulation attached hereto and made a part hereof.

* See next page for letter

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: ~~xxxxxxxxxx~~
686 3450
ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

March 5, 1981

HONORABLE KENNETH J. MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA, NEW YORK, 14227

Gentlemen:

Re: Award of contract for new trees

As a result of recent advertisement to supply the Town of Cheektowaga Highway department with new trees for spring planting, please be advised, that after tabulation of submitted bids, I recommend that the Honorable Body, award the contract to: SCHICHTEL NURSERY, 6745 Chestnut Ridge Road, Orchard Park, NY, 14127, being the lowest responsible bidder.

The following are prices as quoted on the bid presented to the Honorable Body, at the meeting of March 2, 1981:

1.	Norway Maple	$ 8.45 each
2.	Littleleaf Linden Maple	11.45 each
3.	Pyrus Calleryana Bradford	15.95 each
4.	Malys American Beauty	13.45 each
5.	Columnar Norway Maple	11.45 each
6.	Kwanzan Cherry	11.45 each
7.	Shademaster Locust	13.45 each
8.	Crimson King Maple	13.85 each

RECEIVED
MAR 9 1981
Richard M. Moleski, Town Clerk

I trust that my recommendation will meet with your kind approval, I remain,

Yours very truly,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

AFW/bg
cc: Town Atty
Town Clerk
Council Chambers - Jerry Gabryszak
file

"When better roads are built — Cheektowaga will build them"

Item No. 20 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town has commissioned the preparation of a Light Industrial Study to create an overall industrial development strategy for the Town, and

WHEREAS, a component of this study includes the preparation of industrial development and design guidelines, and

WHEREAS, the Town desires the participation of key citizens and Town technical personnel interested in and knowledgeable about industrial development to review said guidelines prior to Town adoption, NOW, THEREFORE, BE IT

RESOLVED that the following individuals are asked to serve on the Industrial Guidelines Review Committee:

Richard Maussner	Samuel Tadio
Cheektowaga, NY 14225	Cheektowaga, NY 14225
Robert Biniszkiewicz	Fred M. Calandra
Cheektowaga, NY 14211	Cheektowaga, NY 14225
Dr. Victor Reinstein	Robert E. Mariacher
Cheektowaga, NY 14227	Cheektowaga, NY 14227

and BE IT FURTHER

RESOLVED that representation from the following is desirable and recommended:

-Town Engineering Department
-Town Highway Department
-Town Planning Department
-Erie County Industrial Development Agency

and BE IT FURTHER

RESOLVED that certified copies of this Resolution be sent to the above individuals, departments and Erie County Industrial Development Agency.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the necessary PO-17 forms for the creation of a "Sr. Engineering Assistant" in the Engineering Department, have been submitted to the Erie County Personnel Department, and

WHEREAS, the Erie County Personnel Department has approved the creation of the above named position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Sr. Engineering Assistant" in the Engineering Department, be and hereby is created.

Item No. 22 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the position of Assistant Working Foreman in the Sanitation Department, NOW, THEREFORE, BE IT

RESOLVED that Florian Majchrzycki of , Cheektowaga, New York, be and hereby is appointed Assistant Working Foreman in the Sanitation Department effective immediately.

Upon Roll Call....
AYES: Supervisor Meyers, Councilman Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the Cheektowaga Facilities Department requires seasonal employees to augment its normal full time employee work force due to seasonal duties which serve the public, NOW, THEREFORE, BE IT

RESOLVED that the following individual be hired in the Cheektowaga Facilities Department:

Seasonal Maintenance Mechanic @ $5.00 per hour

Richard Kanner

Cheektowaga, New York

Funds for this action are available from the source as stated in the resolution and have been approved by the Bookkeeper to the Supervisor.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WEHREAS, the following job titles have been vacant for some time, and

WHEREAS, the Erie County Department of Personnel has requested a determination as to the status of these job titles, NOW, THEREFORE, BE IT

RESOLVED that the following job titles be and hereby are abolished:

Civil Defense Director PT
Senior Caretaker
Account Clerk Stenographer
Recreation Secretary PT

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Swiatek, seconded by Councilman Wegner

BE IT RESOLVED that the individuals listed below be hereby terminated as a participant of the Youth Community Conservation and Improvement Project (YCCIP), effective March 6, 1981,:

Susan Refermat	Paul Babiarz
Depew, New York 14043	Cheektowaga, NY 14225

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, Michael Miecznikowski has been on a six (6) month leave of absence from his permanent position of Senior Recreation Supervisor in the Recreation Department, whiling serving in the temporary position of Director of Recreation, NOW, THEREFORE, BE IT

RESOLVED that Michael Miecznikowski be granted an additional six (6) month leave of absence from his permanent position of Senior Recreation Supervisor, siad leave of absence retroactive to February 16, 1981 to August 16, 1981.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, at a regular Town Board meeting held on March 2, 1981, a resolution was approved hiring several individuals under C.E.T.A., Title IID, and

WHEREAS, a few placements within various worksites ahd to be replaced or deleted, NOW, THEREFORE, BE IT

RESOLVED that said resolution of March 2, 1981, hiring individuals under C.E.T.A., Title IID, be and hereby is amended to read as follows:

DELETE

Recreational Aide at the Boys Club of Buffalo at an hourly rate of $3.50

Neubauer, Debra — Cheektowaga, New York 14225
Social Security Number

Maintenance Person at the Salvation Army at an hourly rate of $3.35

Buczkowski, Stephen — Cheektowaga, New York 14225
Social Security Number

Mallwitz, Marc — Cheektowaga, New York 14225
Social Security Number

REPLACEMENT

Teacher Aide/Bus Driver at the New York State Association for Retarded Children at an hourly rate of $5.6436

Angelo, Francis — Cheektowaga, New York 14225
Social Security Number

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Rogowski, seconded by Councilman Swiatek

WHEREAS, by Resolution, dated March 2, 1981, this Town Board appointed James R. Burst of , Cheektowaga, New York as Temporary Working Foreman in the Sewer Maintenance Department of the Town of Cheektowaga, effective March 4, 1981, with such temporary appointment becoming a permanent appointment on April 1, 1981; and

WHEREAS, it was the intent of this Town Board to have the appointment of James R. Burst as Temporary Working Foreman in the Sewer Maintenance Department become effective immediately; and

WHEREAS, James R. Burst actually worked as Temporary Working Foreman immediately after the passage of the aforesaid Resolution,

NOW, THEREFORE, BE IT RESOLVED that the Resolution of appointment of James R. Burst as aforesaid be and hereby is amended by making his appointment as Temporary Working Foreman effective immediately, and

BE IT FURTHER RESOLVED, that all other aspects of the said Resolution be and hereby are confirmed.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Buffalo-Niagara Frontier Safety Council sponsors an eight (8) hour Defensive Driving Course at Erie Community College at various times during the year, and

WHEREAS, the members of the Cheektowaga Traffic Safety Commission have requested authorization to attend said Defensive Driving Course, NOW, THEREFORE, BE IT

RESOLVED that the ten (10) members of the Cheektowaga Traffic Safety Commission be and hereby are authorized to attend the next session of said Defensive Driving Course, and BE IT FURTHER

RESOLVED that each member of the Cheektowaga Traffic Safety Commission, satisfactorily completing said course, shall be reimbursed the $20.00 enrollment fee.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, George V. Mesaros, Special Agent in charge of the Buffalo District of the United States Secret Service, has recommended that Lieutenant Bruce Chamberlin of the Cheektowaga Police Department attend the next Secret Service VIP Protection Seminar, June 8-17, 1981, at the Secret Service Academy in Washington, D.C., and

WHEREAS, Chief Theodore DeFedericis has requested that Lieutenant Bruce Chamberlin, who is in charge of Protective Services for the Town of Cheektowaga, be allowed to attend said Seminar, NOW, THEREFORE, BE IT

RESOLVED that Lieutenant Bruce Chamberlin be and hereby is authorized to attend the next Secret Service VIP Protection Seminar, June 8-17, 1981 in Washington, D.C, all expenses to be paid by the United States Secret Service.

Item No. 31 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman Swiatek, seconded by Councilman Dux

BE IT RESOLVED that Michael Miecznikowski, Director of Recreation, be and hereby is authorized to attend the New York State Recreation and Parks Conference to be held in Monticello, New York, from April 27 to April 30, 1981, and BE IT FURTHER

RESOLVED that a Town Vehicle be made available for use as transportation to and from the conference, and BE IT FURTHER

RESOLVED that Michael Miecznikowski be reimbursed for his expenses of said trip, not to exceed two hundred and fifty dollars ($250.00).

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, a parcel of property, commonly known as the Hitchcock House, located on Broadway Avenue in the Village of Depew and the Town of Cheektowaga, consisting of approximately four and one-half (4½) acres of land, has historic significance for the Town of Cheektowaga, and

WHEREAS, the Town may be desirous of purchasing said property for development as a historic site, NOW, THEREFORE, BE IT

RESOLVED that Grant Appraisal and Research Corporation, located at 959 Kenmore Avenue, be and hereby is retained to appraise said property for the Town, at an appraisal fee not to exceed $750.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 34 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, a lump sum has been provided in the 1981 budget for the various Town cultural groups, and

WHEREAS, each organization prefers to have their own separate accountability for these budgeted funds, and

WHEREAS, a meeting of these groups in 1980 provided general agreement for a basis of allocation, NOW, THEREFORE, BE IT

RESOLVED that the $20,520.00 lump sum appropriation be allocated as follows:

$20,520.00 FROM:	TO:	
A-7270.438 - Cultural Groups -	A-7270.440 Historical Society	$ 621.00
	.441 Art Guild	$1,468.80
	.442 Chorus	$6,766.20
	.443 Symphony	$6,766.20
	.444 Garden Club	$ 356.40
	.445 Coin & Stamp Club	$ 621.00
	.446 Imperial Regiment	$1,161.00
	.447 Zenith	$1,031.40
	.448 Cultural Society	$1,728.00

Item No. 34 cont'd

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved:

PART TOWN FUND

From: B.4010.402 (Health-Supplies) $1,000.00 To: B.9010.425 (Zoning-Transcription) $1,000.00

SPECIAL DISTRICT FUND

From: S.8525.493 (SD No. 5-Remedial) $6,500.00 To: S.8525.460 (S.D. No. 5-B.S.A. Pmts) $6,500.00

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to March 16th, 1981 are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NO. FROM	TO	AMOUNT
GENERAL FUND	10499-10659,18847-18849,18852-18853, 18858-18860,18863-18865,18867		$ 599,801.37 581.80
PART TOWN FUND	384-388,398,400-411		11,865.56
SPECIAL DIST. FUND	8210-8211,8213-8218,10131-10202		246,245.76
HIGHWAY FUND	6084-6091,10111-10161		261,710.55
H.U.D.-C.D.B.G. FUND	310		18,181.77
F.R.S. FUND	592,692-693,10125-10131		107,144.43
CAPITAL FUND	434,436-443		206,106.18
TRUST & AGENCY FUND	937-947,951-953,959,958-959		1,746,664.77
			$3,198,302.19

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 37 Supervisor's Statement of Funds
Received and Filed.

Item No. 38 Health report for February
Received and Filed.

Item No. 39 Letter from Highway Department regarding Losson Green Estates, Phase I
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 40 NOTICE OF CLAIM - Janet Thibodeau vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor (received copy from that office); Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company; James Kirisits, Town Attorney.

Received and Filed.

Item No. 41 NOTICE OF CLAIM - Richard F. Schmukal vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; T. DeFedericis, Chief of Police.

Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Wegner to suspend the rules to include the following three (3) items.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 42 Authorization for Supervisor to sign agreement with U.S. Department of Labor re: Y.C.C.I.P.

Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of a Youth Community Conservation and Improvement Project (YCCIP) grant, and

WHEREAS, the Department of Labor, through the Erie County Consortium has agreed to pay an amount, not to exceed $83,000.00 to operate said program,

BE IT RESOLVED that the Supervisor be hereby authorized to sign the forthcoming agreement with the United States Department of Labor to operate said project.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 43 Authorization for Supervisor to sign Step I Grant application re: S.S.D. #7

Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is participating in a State and Federal Construction Grants Program to abate water pollution in the Cheektowaga Sanitary Sewer District #5 Service Area, including sewer system rehabilitation, and

WHEREAS, by Town Board resolution dated July 7, 1980 the Supervisor was authorized to sign the agreement with Nussbaumer & Clarke, Inc. for Step I engineering services after approval of this Town application by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, and

WHEREAS, in authorizing the agreement with Nussbaumer & Clarke, Inc. for Step I engineering services this Town Board implied that the Supervisor was also authorized to sign the Step I Grant Application, and

WHEREAS, the New York State Department of Environmental Conservation requires clarification regarding this Board's approval of the Grant Application, NOW, THEREFORE, BE IT

RESOLVED that by virtue of said resolution dated July 7, 1980 this Town Board is in agreement that the Supervisor was directed and authorized to sign the Step I Grant Application to conduct a Sewer System Evaluation Survey (SSES) for Sanitary Sewer District #7 in the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 44 Authorization for Supervisor to sign agreement for engineering services to conduct STEP 1 work in S.S.D. #7

Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is participating in a State and Federal Construction Grants Program to abate water pollution in the Cheektowaga Sanitary Sewer District #5 Service Area, including sewer system rehabilitation, and

WHEREAS, by resolution dated July 7, 1980 this Board retained Nussbaumer & Clarke, Inc. to furnish the necessary engineering services in the submittal of an application on behalf of the Town for a Step I Grant, and

WHEREAS, said Step I Grant is expected to be approved by the New York State Department of Environmental Conservation by March 30, 1981, and

WHEREAS, the cost of engineering services conducted on Step I projects prior to grant award is eligible for reimbursement under the grant, and

WHEREAS, climatic conditions are currently at an optimum for conducting certain portions of the engineering services as proposed, and

WHEREAS, it is in the best interests of the Town to initiate the work, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is authorized to sign the agreement for engineering services to conduct the Step I (SSES) work in Sanitary Sewer District #7, and BE IT FURTHER

RESOLVED that the Town Engineer ia authorized to order that the engineering services be stopped should there be a delay in processing of the Town's grant application and where it would be in his opinion that stopping further work would be in the best interest of the Town's Sewer District #7.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 45 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting to Thursday, March 26, 1981 at 6:00 P.M.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 7 (REGULAR ADJOURNED MEETING)

CHEEKTOWAGA, NEW YORK
March 26, 1981

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 26th day of March, 1981 at 6:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Thomas M. Johnson
Councilman Donald J. Wegner
Councilman William P. Rogowski

ABSENT: Councilman Frank E. Swiatek
Councilman Frank J. Dux

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Ernest Holfoth, Insurance Risk Management Consultant.

Item No. 2 Authorization for Town of Cheektowaga to pay portion of costs with regard to bridge inventory and/or inspection

Motion by Supervisor Meyers, seconded by Councilman Rogowski

WHEREAS, the New York State Department of Transportation proposes to inventory and/or inspect county, town, city and village owned bridges in the Town of Cheektowaga, in conformance with Section 231, Subdivision 1, of the New York State Highway Law, and

WHEREAS, the New York State Department of Transportation will provide all engineering and support services necessary to accomplish the bridge inventory and/or inspection in said Town of Cheektowaga, and

WHEREAS, the cost of the work will be shared by the Federal Government, the State of New York, and the bridge owner or his agent, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga agrees to pay the portion of the costs assignable to the bridge owner or his agent and to that end authorizes the deposit of $240.00 with the New York State Department of Audit and Control. The following political subdivisions are included in this resolution:

Town of Cheektowaga

and BE IT FURTHER

RESOLVED that the Town Clerk of the Town of Cheektowaga is hereby directed to transmit three (3) certified copies of this resolution as follows:

1. Original with check to the New York State Department of Audit and Control

2. Two (2) copies to the local Regional Office of the New York State Department of Transportation at 125 Main Street, Buffalo, New York 14203.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Johnson, Wegner and Rogowski
NAYES: 0
ABSENT: Councilmen Swiatek and Dux

Item No. 3 Award of bid for general insurance program

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town invited local and other interested agents to submit proposals for renewal of its general insurance program expiring on March 30, 1981, and

Item No. 3 cont'd

WHEREAS, three proposals were received and evaluated by our consultant, Ernest A. Holfoth, CPCU, and

WHEREAS, the Town Board has reviewed his evaluation and recommendation concerning these proposals, NOW, THEREFORE, BE IT

RESOLVED that renewal of the general insurance program is awarded to Clauss and Company in accordance with their INA proposal for an annual premium of $210,987.00, and BE IT FURTHER

RESOLVED that excess Worker's Compensation Insurance is also awarded to Clauss and Company and the National Union at an advance annual premium of $27,310.00.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Johnson, Wegner and Rogowski
NAYES: 0
ABSENT: Councilmen Swiatek and Dux

Item No. 4 Re-hire comprehensive claim service

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town Board retained Robert F. Coleman, Inc., in 1980 to provide claims administration services for self-insured Worker's Compensation obligations; and

WHEREAS, Robert F. Coleman, Inc., proposes to continue such services for the Town in 1981 at the same cost and terms; and

WHEREAS, the Town's Risk Management Consultant recommends continuation of the service contract; NOW, THEREFORE, BE IT

RESOLVED that Robert F. Coleman, Inc., be retained for the year April 1, 1981 to April 1, 1982, at a minimum annual fee of $10,450 plus $95 per claim for claims exceeding the first 110 to be charged to Worker's Compensation Self-Insurance Account A9040.813.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Johnson, Wegner and Rogowski
NAYES: 0
ABSENT: Councilmen Swiatek and Dux

Item No. 5 Motion by Councilman Wegner, seconded by Councilman Rogowski to adjourn the meeting until the next regularly scheduled Town Board Meeting on April 6, 1981.

RICHARD M. MOLESKI
Town Clerk